

# THE MADRAS LEGISLATIVE COUNCIL.

Wednesday, the 21st March 1928.

The House met at 11 o'clock, the President (the hon. Rao Bahadur C. V. S. NARASIMHA RAJU Garu) in the Chair.

## PRESENT:

Marjoribanks, K.C.I.E., C.S.I., I.C.S., The hon. Sir Norman.

Usman Sahib Bahadur, The hon. Khan Bahadur Muhammad.

Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E. Campbell, C.S.I., C.I.E., C.B.E., I.C.S., The hon. Mr. A. Y. G.

Subbarayan, The hon. Dr. P.

Muthiah Mudaliyar, The hon. Mr. S.

Seturatnam Ayyar, The hon. Mr. M. R.

Abbas Ali Khan Bahadur.

Abdul Hye Sahib Bahadur, K.

Abdul Razaek Sahib Bahadur, Khan Bahadur S. K.

Abdul Wahab Sahib Bahadur, Munshi.

Adinarayana Chettiyar, Mr. T.

Anantakrishna Ayyar, Rao Bahadur C. V.

Anjaneyulu, Mr. P.

Appavu Chettiyar, Mr. C. D.

Ari Gowder, Mr. H. B.

Arogyaswami Mudaliyar, Diwan Bahadur R. N.

Arpudaswami Udayar, Mr. S.

Basheer Ahmad Sayeed Sahib Bahadur.

Bhaktavatsulu Nayudu, Mr. P.

Bheemayya, Mr. J.

Biswanath Das Mahasayo, Sriman.

Boag, C.I.E., I.C.S., Mr. G. T.

Chidambaramnatha Mudaliyar, Mr. T. K.

Congreve, Mr. C. R. T.

Cotterell, C.I.E., I.C.S., Mr. C. B.

Dorai Raja, Rajkumar S. N.

Ellappa Chettiyar, Rao Bahadur S.

Evans, C.S.I., I.C.S., Mr. F. B.

Foulkes, Mr. R.

Gangadhara Siva, Mr. M. V.

Gnanavaram Pillai, Mr. P. J.

Gopala Menon, Mr. C.

Govindaraja Mudaliyar, Mr. C. S.

Guruswami, Rao Sahib L. O.

Hamid Khan Sahib Bahadur, Abdul.

Hampayya, Rai Sahib M.

Harisarovtama Rao, Mr. G.

John, Mr. V. Ch.

Kaleswara Rao, Mr. A.

Karant, Mr. K. R.

Kay, Mr. Kenneth.

Kesava Pillai, C.I.E., Diwan Bahadur P.

Khadir Mohidin Sahib Bahadur, Muhammad.

Koti Reddi, Mr. K.

Krishnan, Mr. K.

Krishnan Nayar, Diwan Bahadur M.

Kumara Raja of Venkatagiri.

Kuppuswami, Mr. J.

Luker, Mr. A. T.

Madhavan Nayar, Mr. K.

Mallayya, Dr. B. S.

Manikkavelu Nayakar, Mr. M. A.

Marudavanam Pillai, Mr. C.

Meera Ravuttar Bahadur, K. P. V. S. Muhammad.

Muniswami Nayudu, Rao Bahadur B.

Muniswami Pillai, Mr. V. I.

Murugappa Chettiyar, Diwan Bahadur A. M. M.

Nagan Gowda, Mr. R.

Nanjappa Bahadur, Subadar-Major S. A.

Narayana Raja, Mr. D.

Narayanan Chettiyar, Mr. Al. Ar.

Narayanan Nambudripad, Rao Bahadur O. M.

Narayanaswami Pillai, Mr. T. M.

Obi Reddi, Mr. C.

Parasurama Rao Pantulu, Mr. A.

Parthasarathi Ayyangar, Mr. C. R.

Patro, *Et.*, Rao Bahadur Sir A. P.

Premayya, Mr. G. R.

Raja of Panagal, K. C.I.E.

Raja of Ramnad.

Rajan, Mr. P. T.

Ramachandra Padayachi, Mr. K.

Ramachandra Reddi, Mr. B.

Ramasomayajulu, Mr. C.

Ramjee Rao, Mr. V.

Ramaswami Ayyar, Mr. U.

Ranganatha Mudaliyar, Mr. A.

Sabajanandam, Swami A. S.

Saldanha, Mr. J. A.

Sami Venkatachalam Chetti, Mr.

Satyamurti, Mr. S.

Shetty, Mr. A. B.

Simpson, *Et.*, Sir James.

Sitarama Reddi, Rao Bahadur K.

Siva Raj, Mr. N.

Slater, C.I.E., I.C.S., Mr. S. H.

Soundarapandia Nadar, Mr. W. P. A.

Srinivasa Ayyangar, Mr. R.

Srinivasa Ayyangar, Mr. T. C.

Srinivasan, Rao Sahib R.

Subrahmanya Pillai, Mr. Chavadi K.

Swami, Mr. K. V. R.

Syed Ibrahim Sahib Bahadur, Nattam Dubash

Kadir Sahib.

Tajudin Sahib Bahadur, Syed.

Tampoe, I.C.S., Mr. A. McG. C.

Uppi Sahib Bahadur, K.

Vanavudaiya Gounder, Mr. S. V.

Venkatapathi Raja, Mr. P. C.

Venkatarama Ayyar, Mr. K. R.

Venkataramana Ayyangar, Mr. C. V.

Venkataramam Nayudu, Mr. C.

Venkiah, Mr. S.

Watson, I.C.S., Mr. H. A.

Wright, Mr. W. O.

Zamindar of Gollapalli.

Zamindar of Kallikota.

Zamindar of Seithur.

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## I

## QUESTION AND ANSWER.

## STARRED QUESTION

## Arms and Explosives

*Refusal of licence for a revolver by the District Magistrate, South Kanara.*

\* 1783 Q. — Mr. K. R. KARANT: Will the hon. the Home Member be pleased to lay on the table a copy of the application for licence for a revolver, dated 17th October 1927, of Mr. Shesha Bhat Bhide, B.A., B.L., landholder and first-grade pleader, Mangalore town, to the District Magistrate of South Kanara and the order of the District Magistrate refusing the licence and to state—

(a) the reasons why the District Magistrate is not satisfied that a revolver is required for the protection of the applicant;

(b) what are the real reasons for the refusal;

(c) whether the Government will be pleased to call for the papers and satisfy themselves as to the necessity or otherwise of the application;

(d) whether the District Magistrate called for any reports from the officials in the Kasaragod taluk (wherein are situated the two estates of which the said Mr. Bhide is a Receiver of Court); and if so, to what effect have they reported; if not, why not;

(e) whether it is a fact that the District Magistrate has issued a circular restricting the issue of licences; and

(f) whether the circulars will be laid on the table of the House?

A.—The papers referred to are placed on the table.<sup>a</sup>

(a) & (b) South Kanara is a peaceful district and the District Magistrate found no special circumstances to justify the grant of a revolver licence to the applicant.

(c) The Government have satisfied themselves that there is no real necessity for the grant of a revolver licence.

(d) & (e) The Government have no information.

(f) The Government do not propose to take any such action.

## II

## MOTIONS ON THE BUDGET FOR 1928-29.

## DEMAND XIV—JAILS.

[*Notes.*—An asterisk (\*) at the commencement of a speech indicates revision by the Member.]

\* The RAJA OF RAMNAD:—"May I rise to a point of order, Sir. There is no quorum."

(The division bell was rung and after some time a quorum was obtained.)



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\* The hon. Mr. A. Y. G. CAMPBELL :—"Mr. President, Sir, on the recommendation of His Excellency the Governor, I beg to move

*'that Government be granted a sum not exceeding Rs. 31.12 lakhs under the head XIV—Jails.'*"

\* The hon. the PRESIDENT :—"The question is that Government be granted a sum not exceeding Rs. 31.12 lakhs under the head XIV—Jails."

\* Mr. A. B. SHETTY :—"Mr. President, Sir, I rise to move

*'that the allotment of Rs. 36,600 for Superintendence (Jails) be reduced by Rs. 100.'*"

"My object is to discuss the question of the better administration of jails and of reform in the treatment of convicts. Sir, the question of prison reform in India is nearly a century old. The first committee on this matter met as far back as 1836 and since then we have had three committees and several conferences. The last committee, the Indian Jails Committee, met in 1919-20. They found that the Indian jails had made notable advances in the material aspects of administration, health, food, labour and the like, but they had not made equivalent progress in other directions. They saw that our jails had somewhat lagged behind on the reformatory side of prison work. Last year, in replying to my hon. Friend Mr. Satyamurti, the hon. the Home Member made mention of the several reforms that had been introduced in our jails in accordance with the recommendations of the Jails Committee of 1919-20. Sir, many experiments have been made in the West in prison administration, many new methods for reforming criminals have been invented and developed. The movement on behalf of prison reform has become international. Several of the Western countries, notably the United States of America have gone far ahead of us in the treatment of criminals. They have achieved extraordinary success in restoring criminals to society. Can we say that we have done all that we can in regard to our jail administration and treatment of convicts? A perusal of the administration reports of our jails is by itself enough to show how much remains to be accomplished. One of the recommendations made by the Jails Committee was to the effect that all possible measures should be taken to avoid commitment to prison, when any other course of action can be followed without detriment to the public interest. The Jails Committee made a number of recommendations such as, the extension of the probation system, the prohibition of short sentences, the application of the principle of indeterminate sentence with a view to promote the prospect of reformation in the criminal and also to bring down the convict population in our jails and effect some saving to the Government.

"Now let me take the question of short sentences. What do we find? We find that out of a total admission of 21,890 persons to our jails in 1926, as many as 7,475 are convicts who have been sentenced to a period of less than a month. Government no doubt feel satisfaction in the fact that the number of short sentences had decreased from 7,897 in 1925 to 7,475 in 1926. But the total number of admissions in 1925 was also larger than what it was in 1926. At least one-third of the total number of convicts are sentenced for short periods. Now, the results of short sentences have been found to be most unsatisfactory all over the world. Opinion is practically unanimous regarding the futility and harmfulness of short sentences. Every Inspector-General of Prisons in India has expressed himself against

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the imposition of short sentences and pointed out their uselessness. Our own Inspector-General of Prisons has time and again drawn the attention of the Government to the necessity of legislation to put a stop to short sentences. A man who once serves a sentence in prison not only loses all fear of the prison, but loses his self-respect. He comes out with the stigma of prison on him. So, short sentences have been universally condemned. A special Probation Act on the lines of the English Act has been suggested by the Inspector-General of Prisons and a Bill also drafted by him for this purpose. But the Government have not accepted his proposal. They are contenting themselves with the amendment they have made to section 562 of the Criminal Procedure Code. Sir, the probation system has been introduced and found to work with success in many of the civilized countries of the west. In the United States of America, it has been developed in recent years. It is not restricted to youthful offenders or to first offenders only. It is utilized for dealing with grown-up offenders also. Why should we not then introduce this measure of reform in our province? Why should we lag behind the western countries in this matter? It is claimed on behalf of this system that it is not only a more humane and a more effective means of reforming prisoners than confinement in jails, but it will also help to give relief to our overcrowded jails and save money to the Government.

“One of the distinguishing features in the treatment of criminals in America is the abolition of short sentences and the institution of indeterminate sentences. The main idea underlying this is that the Judge is not in a position to know sufficiently full particulars about the antecedents of accused persons, their mental condition, their environment and the cause of their crime, and so he cannot say exactly what sort of punishment or punishment of what duration will fit the needs of the case. They say, therefore, that the Judge ought not to pass a definite sentence. The court must only declare whether the accused is guilty or innocent, and if he is guilty, hand him over to an expert body of penologists to be detained and dealt with in accordance with his subsequent conduct. Now it is in accordance with this idea that the Indian Jails Committee recommended that the sentence of every long term prisoner should be subjected to revision by a revising board as soon as he had served half the period awarded by the court in the case of the non-habitual and two-thirds of that in the case of the habitual convict. I want to know how far this recommendation of the Jails Committee has been given effect to. Long-term imprisonment means enhanced cost to Government. It is also bad for the prisoner. It means removal from the free life of the world and subjection to the cast-iron methods of jail discipline; the longer the sentence the less likely is it to be of benefit to the prisoner.

“Habitual offenders, however, stand on a different footing. There are what are called born criminals, criminals who are incorrigible; people who cannot be restrained by the fear of any punishment or reformed by any effort, however noble or well-directed. They are a perpetual source of trouble to the Police and a menace to the public. They come back to jail time after time and such people must be dealt with differently. Our present system of dealing with habitual offenders has been characterized by the Inspector-General as neither deterrent nor reformatory and condemned by him as unscientific. No doubt, there are separate jails for these people, but they are subjected there to the same treatment, viz., prolonged imprisonment with hard labour. There are people among these who are mental defectives, who are devoid of

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moral sense. Such people deserve to be treated in a special way. Not prolonged imprisonment with hard labour, but preventive detention is the method of dealing with people who cannot be cured of their criminality. Many of the civilized countries of the world have adopted this method. The Inspector-General of Prisons has rightly suggested that some scheme of preventive detention should be brought into force for dealing with these incorrigible people. If Government are really serious about reducing grave crime in this country, they ought to undertake legislation on the lines suggested by the Inspector-General of Prisons for dealing with these habitual offenders who form one-fifth of our prison population. The Inspector-General is against giving any remission of sentence for the habituals; for it is a mistake and a folly to let loose on society criminals who cannot be reformed, to allow them to prey on the community, to re-arrest and imprison them time after time.

“Next we shall consider the after-care of prisoners. Sir, the time of a prisoner's release from jail is admitted to be one of the most critical moments in his life, especially when he comes out of jail after a long period of imprisonment. He has been working in jail like a machine without any feeling of responsibility. When he comes out and finds himself free it is difficult for him to keep his balance. In addition to this he finds that people naturally suspect an ex-convict and they do not easily give him any employment. It is at such a time that he requires help and guidance. The Madras Discharged Prisoners' Aid Society and its district branches are no doubt doing a much needed humanitarian work in this direction. But their organization and the manner of working have been found fault with by the Inspector-General of Prisons. There are still many districts where we have to establish homes for accommodating the ex-convicts till they succeed in getting some employment. There are still many places where paid officers have to be employed for carrying on the work of these societies. An efficient system of aid for the discharged prisoners is one of the most important factors in the reduction of crime. Government ought not to neglect this work, on grudge to spend money on it. About three years ago a conference of the Inspectors-General of Prisons went into this question and unanimously recommended that Government must spend more money for this purpose. Even in England where philanthropic bodies are carrying on this work in a very efficient manner Government help has been found to be necessary for this work. Much more, therefore, in our province Government backing will be essential for such sort of work. Government must not only give larger grants but they must also see that district officials in their respective places help in organizing branches of this society and see that they carry on their work properly.

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a.m.

“After all, Sir, success in the work of prison administration, and in reforming the criminals depends not so much on systems and methods, however perfect they may be, as upon the men who are in charge. It is the personal factor that counts. So it is that the Jail Committee have pointed out the importance of entrusting the care of criminals to people who are adequately trained in penological methods. Not only the Superintendent must be a trained expert but the whole prison staff from the jailor down to the warder must be men who are recruited with care, who are well-trained for their work and are sufficiently remunerated. In this House in previous years it has again and again been urged that the jailor and his assistants



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should be men of character and education. I would say it is not enough if the prison officials are men of good education and character. You must have men who are well trained in humane and rational methods of treating criminals. Are our present prison officials taught the psychology of crime. Are they able to adopt their methods of education, work and discipline to fit each individual case? That should be the test. A great English Statesman has said that the method of treatment of crime and criminals is one of the tests of the civilization of a country. If this country is to keep up to the standard of a civilized country, reform and progress is necessary in the several directions that I have suggested as well as in other directions."

The hon. the PRESIDENT:—"Motions 639 to 643, 648 and 649 are connected with this. They will not be allowed to be moved separately."

\* Mr. D. NARAYANA RAJU:—"I heartily support the motion moved by my hon. Friend Mr. A. B. Shetty, who has covered the whole ground of jail reform. I would point out the difficulties with regard to the internal arrangements of prisons. The sanitary arrangements are very defective especially in prisons where there is not the cellular system and where the prisoners are housed in a single hall at nights. The prisoners will be chained in a single row. To pass urine in the night, one vessel will be put at one end and each one will have to pass the vessel from one end to the other, whenever it is required by any one in the row. This system of keeping one vessel is very bad. The sanitary arrangements even in prisons where there is cellular system are not at all good. Again the food given to the prisoners is bad. No proper supervision is exercised with regard to the kind of food supplied to prisoners. About the hospitals in jails the less said the better. It is a misnomer to call them hospitals. There is little stock of medicine and the doctors take very little care of the prisoner patients. The treatment in general given to these prisoners is such as not to reform them. It is more of a brutalising kind—it helps more to make brutes of them than to restore them to society. The practice of appointing convicts as warders is very pernicious in the results. It is a fact that convict warders are more harsh on the prisoners than the paid staff. They try to please their masters by being very harsh to their fellow prisoners. They out-herod herods. Therefore this system of having convicts as warders should be abolished. Again the distinction made with regard to the comforts provided to the European prisoners and the Indian prisoners must be objected to. Of course the European prisoners may be given the food to which they are accustomed to; but the same treatment must be accorded to the Indian prisoners also. Indian prisoners are not always given the food to which they are used to. Even with regard to other amenities the treatment to European prisoners is very different from the treatment given to Indian prisoners. Even in the prisons we are reminded of the subject nature of our country and the slave condition of the people. It is not that I grudge the treatment given to Europeans. I claim that similar treatment and food should be given to Indian prisoners also, especially when political prisoners accustomed to high life in society are sent to jails. It is but right that they should be given all possible facilities or comforts consistent with jail discipline. I hope therefore that hon. Members of the House would unanimously vote for this motion."

\* Mr. A. KALESWARA RAO:—"Mr. President, Sir, I have also given a cut with regard to the treatment of political prisoners. The treatment given

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to political prisoners in our country is barbarous, to say the least. In all civilised countries and under all Governments which claim to be civilised, political prisoners are treated like gentlemen. They have gone to prison only for their conscience and their country and there is no meaning in giving them the same food, the same clothing and the same kind of treatment and the same kind of hard labour as is given to ordinary prisoners who are convicted of ordinary offences, offences of a social nature like dacoities and murders."

\* Mr. ABSAS ALI KHAN:—"Offences of a social nature?"

\* Mr. A. KALESWARA RAO:—"I mean offences against society. I am sorry if my friend could not understand it correctly. The question came up before the House several times on previous occasions. Sometimes adverse votes were given and sometimes favourable votes were given. Whatever that may be so far as Government is concerned they do not seem to have changed their heart or changed the manner of treating them. Particularly this question is very important in our country because we are fighting and struggling for the freedom of our country. So long as there is this struggle for the political rights and privileges of our country the question must remain a living one—the question of better treatment of political prisoners. Now, Sir, there are the Satyagraha prisoners in connection with the Neil Statue. The other day we read in papers that Satyagraha prisoners were handcuffed and were taken in chains to the railway station in order to be taken to the jails in which they were imprisoned. Of course we had similar experience. I had the honour of being handcuffed by the police simply when we were transferred from one place to another.

"So the police authorities and the Home Member who is in charge of this portfolio all seem to be callous about the treatment given to men and women of position and status and who have gone to prisons only for their patriotism. We knew, Sir, how ladies who were convicted of political offences have been treated in these jails. I do not think any Government can feel proud of having given hard labour to a lady who has gone to prison for having preached non-co-operation among people. Hard labour like grinding was given to her. The clothing that is given to political prisoners does not in any way differ from that given to the ordinary prisoners—only two small shirts and two small trousers—and they have to remain like that throughout day and night. They are also given some thread to the neck and iron chains to the legs. All things that are humiliating are given to them. They are given very hard matting and the food that is served is very bad and dirty and it spoils their health. Of course, it may be said that people who commit political offences ought to be punished. But the punishment given to these ought to be different because these offences are consistent with the highest civilization. Of course, when people belonging to a subject nation unsuccessfully fight for the freedom of their country against their rulers, they are called rebels and offenders. But when people are able to drive out foreign rule and establish self-government, then it is called a fight for freedom because they have won.

"I shall also draw the attention of the House to another matter now as we are considering the question of prison reform. I mean the imprisonment of debtors. That subject seems to have been in front of this House for the last many years, and questions seem to have been put whether the Government propose to abolish civil imprisonment for debtors. I learn that

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in most of the western countries imprisonment for decree debts has been abolished altogether. I should also urge for the abolition of imprisonment for debtors in this country. Of course, the rich men might contend that if that form of coercion is removed debts cannot be realized easily. But I think that kind of coercion is a barbarous one and the sooner it is given up the better. When they give money they can take proper securities for their debts and they can only give such amount as that they can expect to realise from the debtors without difficulty. Therefore in the interests of the poor people and in their self-respect also I think it is necessary to abolish this form of coercion."

\* Mr. A. RANGANATHA MUDALIYAR :—"I have just risen to ask for information whether on this motion questions connected with dietetics regarding which there are notices of other motions can be discussed."

\* The hon. the PRESIDENT :—"Perhaps the hon. Member was not in the House when I remarked that items 639 to 643, 648, 649 and 650 might be discussed together."

Mr. A. RANGANATHA MUDALIYAR :—"Thanks, Sir."

\* Mr. ABDUL HAMID KHAN :—"Mr. President, Sir, I beg to draw the attention of the Government to two things connected with the administration of jails. My hon. Friend, Mr. A. B. Shetty, dealt at length with the immediate need for reform in the jails in India. I do not propose to traverse the ground further. But I should like to draw the immediate attention of the Government to one or two things. First with regard to recruitment; the Government might remember, or might not remember even—because I find that Government sometimes forgets (Mr. Satyamurti: 'often')—that early last year they did call for applications from Indian graduates for employing them as jailors and deputy jailors. I do not know what the Government has done. I understand that many applications came and even the applicants were sent for and they were asked to wait till they could be called again for employment. I do not know what became of it afterwards. With regard to that matter, perhaps, they are not intending to employ Indians in that service or they have been influenced by the Anglo-Indian community in order to retain these posts for that particular community alone. It is really necessary that the Government should employ educated Indians in these posts, particularly as jailors and deputy jailors. It is they who will understand the need for the reform in the administration of jails which has been very well dealt with by my friend, the Member for South Kanara. With regard to the treatment that the Mussalman prisoners receive in jails, I wish to draw the attention of the Member in charge that the Mussalman prisoners during the month of Ramzan have been asked to do hard labour that is allotted to them even though they observe fast. In this connection I have read the correspondence which has passed between the then Member in charge of this department and some leading Mussalman from one of the districts in our Province. He requested the then Member to allow the Mussalman prisoners who observe fast by freeing them from the day's work. The reply that the gentleman received to his request was that Mussalman prisoners even though they fast will not be exempted from the work that they have to do in the jail. We have a Mussalman representative on the Treasury Bench and I dare say that he will certainly make the other Members of the Treasury Bench realise the hardship which the Mussalman prisoners—particularly the



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Mappilla prisoners who all of them fast during the month of Ramzan—have to undergo when they are asked to do hard labour during that time. I hope, Sir, the Government will not be so hard-hearted as to extract work from prisoners who fast.

“ With regard to the fact that the Government has not so far abolished the system of sending the Mappillas to colonize the Andamans, this House has more than once given its verdict in condemnation of that scheme. I cannot understand the hardihood with which the Government persists in this most pernicious system of sending out whole families of Mappillas to this place. I hope that the Government will not do these things against the wishes of the people.”

\* Mr. K. V. R. SWAMI:—“ Mr. President, the subject has become very vast because we are discussing all the items about which motions are given. As regards the jail reforms they were dealt with by my hon. Friend, Mr. Shetty, and he took pains to go into each item and compared the system here with the system prevailing in other countries. I do not know how far the Government would note these matters and try to reform the jails on the lines suggested. As regards other matters, the first thing I would like to deal with is the dietary. With regard to this I submitted last year how deplorable the condition is. I do not grudge that Europeans and Eurasians should be given the sort of food that they are used to. That is the right principle to be followed—the prisoner should be given the sort of food he was used to previously ; otherwise it would be very difficult for him to get on and his health may be affected. Now, unfortunately, this principle is not adhered to in respect of other prisoners. Most of the things needed in their diet are cut off. We cannot think of an Indian who does not use buttermilk at every meal of his, at least that should be given to them. With regard to prisoners who are non-vegetarian, no non-vegetarian food is given. It seems one Superintendent observed, ‘ for the sins committed they are here ; why should they commit more sins ? ’. He is a European, I suppose. With regard to that there is not much difference between a European prisoner and an Indian prisoner. As for the European or Eurasian prisoner, he is given both fish and mutton and every other item. Even if he is given more I shall be delighted. My complaint is why should these poor people be deprived of the ordinary articles of food which even the poorest of the poor are used to. Another thing is, sufficient food is not given. Sir Arthur Knapp in replying to a question raised in this House said that it was very difficult for the Government to deal with this matter. How efficient is this Government ? They cannot make arrangements to give each prisoner the quantity of food he wants. I do not know what else they are capable of. They want to give every man the same quantity of food. I do not know how the hon. Home Member would fare if he is given the same quantity of food as would be sufficient for me. I do not know how the hon. the Home Member would think the matter. Do not different people want different quantities ? If you say that you will give one-fourth of a seer of rice to every prisoner, that is no good at all, and it is not even economical. So many prisoners would throw away the food which is in excess and so many do want more food, who otherwise might even be tempted to steal, for nobody would like to starve. That matter is not attended to. We may criticise the Government, we may represent to them, we may pray and appeal to them, but they never move in the matter. This is the unfortunate situation.

[Mr. K. V. R. Swami]

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a.m.

"I should think, whether they take the trouble of representing these things or not, their diet is the same, their quantity of food is the same and is not going to be cut down or increased. That is the sort of feeling of the hon. Members of this House. Now, as regards clothing, my hon. Friend was suggesting that each prisoner has got two pairs and no more. I don't very much mind that. The prisoner is given one piece of cloth to be used as towel. If the man is naked he can dry himself and if the man covers himself he cannot dry himself. These unfortunate men want extra clothing. At least one towel more. As for the other comforts it is very horrible to know. They are in no way better than hells on earth. Sir Arthur Knapp was priding himself and the Government he represented that a gentleman who had visited Indian jails complimented the Madras jails on the arrangements that were made and the treatment the prisoners had and so many other things. So, the other jails must have been worse than hells. What I submit in this matter is that more food should be given and better clothing should be provided and the principle that is applied in the case of Europeans and Eurasians should also be applied in the case of Indians. For people who are used to buttermilk—my impression is there is no man who does not use buttermilk—the same must be given to him and the non-vegetarians should be given non-vegetarian food.

"With regard to the work that is given to prisoners, it is more intended as punitive than anything else. If a prisoner is not able to stand the hard work he is put on ordinary work if he can please the men in charge of him. I have experience of these jails as I was a visitor for three years—though I was not an inmate for a sufficient time—and my first impression was the working of the oil mill through prisoners. This appeared to my mind the rudest method of getting work from convicts. I wrote in the Visitors' book with a request to dispense with that form of work which is considered to be hard work even for animals. The compliment I got was, that that had never been found fault with by any visitor though it had been in use for a very long time. I was told that no other gentleman had taken any objection to it. Such is the attitude adopted by this Government and they have no regard for public opinion at all. When any abuse is pointed out, I think they take pride in doing the very thing. You will presently see that my hon. Friend the Law Member who is now in charge, is not very capable in denying all these charges, but if there was the other gentleman the Home Member who was in charge till recently he would have defended every point that has been raised by saying that everything is good and nothing is bad, but only our remarks are not correct.

"What is now attempted in jails of other countries is to have reformatory influence in the jails so that as soon as a prisoner is released from the jails he should take his proper place in society. If a man gets into jail you must so reform him that he does not commit the offence of the kind that he had committed or any other offence. It is our duty to reform the man and to make him fit for the world so that he might occupy a better place in society after he is released. That is what the jails are intended for. The object of sending a man to jail is to deprive him of his liberty for that is sufficient punishment for him. The responsibility of reforming him and making him fit for society rests on the State.

"With regard to political prisoners, their lot is still worse. It is not defined anywhere as to who the political prisoners are. The question is

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whether Neil statue Satyagraha prisoners, some of whom were committed under the Police Act and others for mischief under section 426, are political prisoners. Mischief is not a political offence and so they will be treated as ordinary prisoners. Of course some of the Superintendents and Jailors take delight in giving trouble to such prisoners. They think they are real rebels and ready to fight against Government and drive the Englishmen out of the country. Perhaps it is good for the people who want liberty that they should be treated like that, but I think it is much worse for the Government, because these people would become confirmed in their opinions and the uselessness of the present system of Government. The unfortunate thing is that some of them think or are tempted to think that now-a-days the young men that have gone to jails do not believe in non-violence. Unfortunately that is the tendency that is being developed at present—I regret this because I belong to a group which has faith in non-violence. The young men think that they should not be non-violent because they are encouraged in this view by the treatment they get at the hands of these Superintendents and Jailors and others. Whatever it may be, if a man is convicted for his political faith he should not be treated like other prisoners. Even in war this kind of treatment is not given for prisoners of war. When you once convict a man there is no use ill-treating or bullying him.

“Again and again, similar cuts requesting Government to improve the diet, to improve the clothing, to improve the treatment and to give better facilities, were passed. Nothing seems to have been done to improve things. They only point out to the report of a committee which was set up once in 1920. That committee has made certain recommendations and they say they are going on with these recommendations. I think the report is already antiquated. It is also better to see what progress has been made with regard to the suggestions made in that report and it would be better if another committee is set up and a report called for.

“Another suggestion made in this House is to make the members of this House ex officio Jail visitors so that they might get an idea about how things are going on there. If the Government really want to profit by criticism and want to do something in the matter it cannot take any objection to this suggestion. The objection on behalf of Government is that these gentlemen may not take an interest in the matter and they would only appoint such gentlemen who are philanthropic and who may take real interest in the matter.

“Suppose every one of the Members is made an ex officio visitor, and many of us do not take any interest at all but only half a dozen do any useful work, where is the danger? The real object is that hon. members should know the real conditions in jails. I am convinced that the Government do not want to accept this suggestion and to improve the treatment accorded to the prisoners, but they want to whitewash everything and to conceal everything. I do not think that any improvement can be made in these matters if Government entertain opinions like this. They ought not to have objected to the suggestion, but ought to have welcomed it. The hon. members who take an interest in the matter may go and see the jails and tell the hon. member in charge of the department that such and such things are happening there and get them reformed. One thing more and I am done.

“There are libraries provided in these jails and these libraries are more frequented by rats and spiders than the inmates there, because the books are



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not worth reading. The books are all antiquated and we don't find any provision for new books and periodicals. Even the Forest department and other departments have got separate provision made for periodicals and books. So far as the Jail department is concerned, we always miss that item. They have got only 20,000 men to deal with. Even if an illiterate man gets into a prison and if he is a long-term prisoner he could be taught to write and read. Of course they say, 'we have got arrangements for this', but they are not sufficient at all. Then those who have some education must be provided regularly with interesting books and there should also be preaching of morals, so that they may make themselves useful citizens in after life. With these remarks I heartily recommend the various cuts proposed."

\* Mr. T. ADINARAYANA CHETTIYAR:—"If my hon. Friend Mr. Swami was a non-official visitor for three years, I had the fortune or misfortune to have been a visitor for nine years. So, I am fairly conversant with some of the things that are going on in the Indian jails. The root evil of the present system is the unsatisfactory nature of the recruitment. Sir, a little later down in the list I have given notice of a motion about the present unsatisfactory recruitment in the Jail department and with your kind permission. . . ."

\* The hon. the PRESIDENT:—"That subject is also included in the motion under discussion, viz., to discuss the question of the better administration of jails."

\* Mr. T. ADINARAYANA CHETTIYAR:—"Therefore, Sir, I am glad that I shall not be out of place in referring to the unsatisfactory nature of recruitment. The recruitment is particularly unsatisfactory. In all civilised countries particular care is taken to place the right sort of people in charge of jails. The reverse, however, seems to be the case in Indian jails. Anybody is good enough, and as long as the Jail department will keep down the expenditure and promote what is called discipline, Government is satisfied. Whether the human beings that enter the portals of the jails come out as brutes or whether their mentality and their character are improved, (although much lip-service is done in reports) though not in actuality,—we don't find any attention paid to anything of that kind. Sir, most of the higher officers, except perhaps some of the Superintendent grade, are generally from one community—the Anglo-Indian community. I have no quarrel with that community, there are very eminent men in that community, but unfortunately those jailors, deputy jailors and others who are chosen from that community have invariably a very poor knowledge, at least not of the desirable kind. No examinations are insisted upon and no virtues are sought to be possessed by these gentlemen. I have got my nine years' experience with these people. Some years back owing to some change in the diet—a fad of a then Inspector-General of Prisons—the quantity of salt was reduced while that of dhal was increased. The prisoners complained because in this part of the country, much salt is used. They complained about the sudden taking away of the quantity of salt. When I was talking to some prisoner, this amiable gentleman (jailor) turned up and asked me 'what are they complaining about?' I said that they complained about the insufficiency of salt. That gentleman roared out, 'Tell them that the quantity will go still

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lower and lower'. Of course, he was not the man to fix the diet in the jail but that was his wish to see that the people suffered more and more and that was the spirit in which he ruled in the jail."

(A voice : " Was he promoted ? ")

\* **MR. T. ADINARAYANA CHETTIYAR** :—" Sir, my friend asks me whether he was promoted. He was promoted to the other world. His wife deserted him some weeks after this and I believe he committed suicide. But we have nothing to do with that. That is only an example of the severity of treatment given by these unfeeling people. Sir, I have myself detected cases in which the milk intended to be given to the sick prisoners is taken away in arrow-marked hospital bottles outside and even the tamarind and the spices have been bundled and thrown out of the jail walls to be picked up by convenient prearrangement. The very meagre diet which is given to the prisoners is thus sought to be pilfered by various ways and they do not get even the regulation diet which they are entitled to. As regards the treatment they get, so many speakers have already referred to the matter that I need not dilate much upon it. But the House is familiar with that old adage 'dead men tell no tales'. The same is true of people inside the jails. Whatever happens there, the world shall know nothing of it. When a non-official visitor goes there, two warders are sent along with him, ostensibly for the protection of the visitor. I do not see where the need is for that. But it is really to report to the Jailors and Deputy Jailors and all the heirarchy of the higher jail officialdom what the prisoners have said to the visitor. The moment the back of the non-official visitor is turned there the tortures begin, tortures, compared to which, the old inquisition will pale into insignificance. Sir, that is the treatment which is given to the prisoners in our jails. As regards dress, Sir, when the hon. the Home Member goes to visit these jails, of course, he sees them trim and the prisoners neatly clad. But, I am sure that for the other 364 days, (provided it is not a leap year) when he does not go there, the dress worn by the prisoners is entirely of a different kind. They wear their dress in tatters, and they are full of vermin. That is the sort of dress which the prisoners are given. Even that scanty clothing is often denied to them and sometimes removed as a punishment, though the higher officials do not perhaps know anything about it. On parade days and on days of the visits of the hon. the Home Member the dress is very passable. As regards the vermin in the jails, Sir, the same thing is true. When His Excellency or the Chota Excellency, the Home Member, goes there the whole jail is beautifully whitewashed. If he would take care to go up the flight of stairs,—rather a difficult thing for the hon. Gentleman,—and see for himself some of those walls which are never whitewashed, he will see those walls dotted with red spots, where the bugs and the vermin are killed during the long and lonesome nights, by the prisoner and if you examine the skin of the arm, which is the only pillow that these unfortunate prisoners know of, you will find the skin turned into a horny substance by the incessant biting of these insects. Such is the beautiful life which these prisoners are leading. But the Home Member always presses for money for electrification of the Borstal or brand new buildings for the Alipuram jail. . . ."

\* **The hon. the PRESIDENT** :—" Probably, the hon. Member is not aware that the demand is made by the hon. the Law Member and not the hon. the Home Member."

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\* Mr. T. ADINARAYANA CHETTIYAR :—“Excuse me, Sir. The hon. the Law Member is probably not aware of these things. But there is this small reform, at least, which is long overdue, a reform, the need for which was felt even by such a reactionary gentleman as our present Chief Minister, namely, the proper treatment of political prisoners. A convenient reply is given in this House times without number that the Jail Code does not know of the existence of a class of creatures called political prisoners. Sir, the only reply that this House can give, the only decent reply that this House can make to that answer is that the sooner the Government knows of such a distinction, the better for its good name, if it wants to be written down as a civilized Government. Sir, may I ask the hon. the Law Member whether he knows of any civilized country in this world where political prisoners are not treated differently from other prisoners? I can assure him, at any rate, even though it may be convenient for him to be silent on that point, that there is no country in the world where political prisoners are not recognized as a special division. The political prisoners often coming from the best of families and from the most cultured of houses are treated worse than the worst criminals and their treatment compared with that of the ordinary loafer belonging to the Anglo-Indian community is a thing known only to people visiting jails.

“One day, Sir, I happened to visit one of the European wards as they call them in the Salem jail. A man was lying, fully dressed, on a cot, with his two legs poised in mid-air one over the other. Only, he did not have a cigar in his mouth. But he had his coat, trousers, boots and hat. As it was my duty to see how he was treated, I just called that gentleman to me,—because he was still a gentleman in dress, whatever may be the crime he had committed,—and asked him who he was. He replied setting up his nose in the air, ‘well, I am a prisoner’. He flouted that answer in my face. I politely requested him to come up. I saw his food, and Sir, his food was such which many members in this House may envy. He had hoppers, his coffee or cocoa,—he had his choice in that—and potatoes and onions and every sort of thing that he would like. Good dress, good treatment and I dare say he was lording it over the ‘native’ warders who were supposed to keep watch over him. May we ask whether political prisoners were never considered as misdemeanants in civilized parts of the world, and should not be treated, as regards diet, dress and other things at least just as these loafers are treated though they are there for some of the most heinous offences. Sir, in this House certain interpellations were asked not many months ago, in which it was brought out that young students from very respectable families, all of them in their teens, attached to the handcuffs were taken along the public roads to Egmore station, and they were encouraged, at any rate, they were not discouraged to have their Gandhi caps on, so that, probably, the world may know what comes to one by wearing these Gandhi caps. Well, Sir, if that was the desire of the hon. Member, I may assure him that Gandhi caps will not frighten away people. On the other hand, I am sure, Mr. President, that more and more people will come into the breach to fill their places. What is it, Sir, that requires that these young men should be taken in chains along the streets to the Egmore Railway station? Are they the people to run away? If they are the people to run away, would they go in broad daylight and throw mud balls and other things at the statue, which, for political grounds and proper grounds too, they take objection to? Are they dacoits



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to try to run away? Are they people who believe in violence for themselves or to others? Then, Sir, the creed of non-violence is so well known and the garment which they wear and the cap that crowns their head is all symbolical of that creed of non-violence, which has been propagated by the greatest living man in the world. If such young men in their teens have to be led in the broad daylight along the streets of Madras to the Egmore Railway station in chains, the shame is not to these young men, but to the Government and to the Members of Government in charge of that department, who think that this national humiliation is necessary.

"Sir, we may get justice in this world or we may not get it. But I suppose there is a Power above which notes all these things. Let that fear at least put some wholesome thoughts into the mind of our Government. Sir, as it is, if things go on at this rate, it will be a standing disgrace to any Government.

"Sir, as regards the library, I had the privilege of supplying some books to the Jails' libraries. But they exist only in name as far as the prisoners are concerned. Just before an inspection by a big person, there is a register in which these books are marked as if lent to certain prisoners. The prisoners never see the books; moreover, where is the time for them to see the books? They have to get up rather very early, do a good deal of work and it is not possible for them to read even if they had the inclination. I do not think the Government cares either, that the prisoners should read. The only journal which they care to supply is the *Howard Journal*, if it is still in existence. That consists of the safest literature which any human being can be given, namely, extracts from the *Madras Mail* and moreover the *Howard Journal* is in English. You can understand how genuine is the desire and interest of Government that our prisoners should come out of the jails as better, more moral, more cultured and even more religious men.

"Sir, another thing which I strongly object to, is that under the guise of equal facilities for religious instruction and equal opportunities for all religions, there are certain jails in the Province where Christian Missionaries and pro-Christian teachers are encouraged. Sir, the matter was the subject of an interpellation, I think, a year ago in this Council, that in the Madras Penitentiary, and also I suppose there was some correspondence in the *Madras Mail* about that. Under the very nose of the Government House, certain Christian teachers were given preference to carry on their Christian propaganda inside the jail,—I mean proselytizing propaganda. Sir, in the Vellore Jail one of the non-official visitors, who is also the Secretary of the Discharged Prisoners' Aid Society, and the learned Secretary of this Council is the Secretary of the Provincial Organization of that Society, I am told was indulging in pro-Christian and proselytizing propaganda of this sort, though of course all these are denied officially. As I said before, dead men tell no tales and anything which happens inside the jails never comes to light. (A voice: 'All poetry'.) Sir, it may be poetry to the hon. Member, but it is quite a different thing to the prisoners. Sir, I have mentioned only a few of the difficulties which are patent even to a casual observer of our jails. I desire that Government would, for its own good name, if not for anything else, see that these are rectified at no distant date."

MR. K. UPPI SAHIB :—"Mr. President, Sir, many hon. Members of this House spoke on this subject and spoke in general terms of the 'bad

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treatment of prisoners. They have said that generally prisoners are treated badly and that political prisoners were treated worse than criminals. But I must say that the treatment meted out to the Mappillas is the worst. It is said that Military, Police and Jails are the three machines which this Government uses to terrorise Indians and to curb them down. Everywhere it is this policy of curbing the spirit of the Indians that is exercised. In the case of ordinary prisoners it is to curb down their spirit of resistance; with the political prisoners it is to deprive them of their patriotism and in the case of the Mappilas it is to curb their patriotism and their spirit and their zeal and to send them away from jails to the Andamans, in fact, to force them to go to the Andamans. In order to force them to the Andamans, all sorts of means are employed, and force and bad treatment are meted out to them in the Alipuram Jail. The food that is given them was reduced, if not by the order of the Government, at least with the connivance of the Government. They have reduced the food and the nature of the food given is the worst possible for human consumption. Then as regards the dress, Sir, it is said that 50 per cent of the Mappilas in the Alipuram Jail are going naked. As my hon. Colleague here said when the Chota-Excellency visited that jail, all people who had not sufficient dress were sent away to a pit near a quarry near the jail, and those who had bare dress were brought before him.

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p.m.

“And he came away with the idea that these prisoners were kept in a very good condition and that they are happy.

“Secondly, I am afraid these prisons are also missionary houses to persuade people to forego their religion. In Alipuram Jail, which is a purely Mussalman jail, there are no proper facilities for the prisoners to observe their religious rites. Water is not given to them even for religious purposes. I know the hon. Home Member will rise up and say every facility is given to them. But let me tell him this, that very recently I had been to a jail where the prisoners said to me that water is not given to them even for the ordinary purposes, such as washing their body and vessels. Generally a mud *chatti* is given and though the rule is that once a year it should be renewed the prisoners have to keep the same *chatti* from year to year. Very often it happens—I don't know whether the House will believe me when I say—that several of them have to take their food from one mud pot, and having had their food they are not given sufficient water to wash the vessel.

“With regard to the medical aid meted out to them, I submit, Sir, it is very very horrible. Though there are doctors and hospitals within the jails, nothing is done to alleviate their sufferings. It is said that no sooner prisoners are admitted they are discharged. Recently, about two or three months ago, the prisoner who told me all these things informed me also that when one of the prisoners sought admission in the hospital the doctor said to him:—‘You are well, I can't admit you’ and refused to admit him. The poor prisoner retraced his steps to his cell and before he reached his destination he dropped down dead on the way. Sir, the treatment is so horrible and insufferable that recently seventeen prisoners told the authorities that they are willing to go to the Andamans. But as soon as they came to the Madras Penitentiary they declared their unwillingness to go and added that they said so only to relieve themselves of the untold suffering in Bellary, and asked the Superintendent to keep them in the Penitentiary itself. But the Superintendent confessed his inability in the matter and asked them to

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choose one of the alternatives, namely, to go to the Andamans or to return to the Bellary Jail. Driven to their wit's end the prisoners agreed to return to the Bellary Jail.

"Now, Sir, this is the month of Ramzan and it is incumbent on every Muslim to observe it. The hon. the Home Member knows—he cannot disown it, for it is only fifteen days since he gave up this portfolio—that for the last two years complaints have been received that in the Alipuram Jail where there are four thousand Mussalmans no facility is given to observe the religious rites, such as those of fasting, the offering of Friday prayers, etc. I can't understand why the hon. the Home Member can't make arrangements for these when the Christian Government allows the Christians to observe their ceremonies."

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—  
"Question ?"

Mr. K. UPPI SAHIB :—"Thirdly, Sir, the Mussalmans in the Alipuram Jail are not allowed to bury the dead bodies of the deceased Mussalman prisoners with the religious ceremonies. I do not know whether the British Government have got their agents in the other world to keep them prisoners in that world. (Laughter.) Because, Sir, these prisoners are buried with the iron chains in their legs. My hon. Friend, the hon. the Home Member, knows that certain rites have to be performed by the Mussalmans before the dead body is buried. I am sorry to say that this liberty is denied to them and they are buried like dogs. In Malabar which is the native place of the Mappillas, the Mappillas are not accustomed to menial services, such as scavenging. They refuse to do such services under any circumstances. But in the jails these people have to remove not only the nightsoil of theirs but also that of the Superintendent and his wife and the Jailor and his wife.

"Of late pilfering also takes place there. Every day an ounce of ration is taken away from what is due to each prisoner. There are four thousand prisoners and four thousand ounces of ration is pilfered every day. These are used to feed the poultry kept by the Superintendent, the Jailor and the Deputy Jailor. Now that the hon. the new Law Member has taken the reins of office, he has shown himself to be very sympathetic towards the Mussalmans, and all credit to him for the kind services he has hitherto done unofficially, and I hope he will do everything in his power to redress the grievances of the prisoners who are kept in prison in a vindictive spirit."

\* Mr. C. R. PARTHASARATHI AYYANGAR :—"Mr. President, Sir, if there is any reform which is more urgently needed, it is jail reform. For, it is the duty of society to see that when prisoners come out of jail they come out not in a worse form but as better men. Sir, the present system requires to be reformed in many respects. The first and foremost reform that is immediately required is that of the physical condition, namely, food and raiment, so that they should be made to believe that they are not worse than the rest of the people in dress and work; for by doing so this sort of treatment will affect their mental calibre to change for the better. The treatment meted out to them for a violation of the jail rules is very bad. For a violation of a rule the punishment is very severe. One way of reforming them is by making them feel that what they have done is wrong. For this purpose, care should be taken in the choice of jailors and warders so that only those who are conversant with the psychology of men should be appointed. So that when the prisoners come out of the jail they should not come with a hard heart,



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so that his conscience does not become more elastic and he does not become a dead weight upon the society. Therefore, the first change that I would suggest is that the person who is in charge of the prison must be sympathetic, large-hearted and genial; he must come into close contact with the convicts, understand their frame of mind and find out what their disease is and how that can be cured, mentally or morally. For this purpose the present system of warders and jailors must go. By the system I suggest the prisoner may be made a better man. What we should really aim at is that he should be made to repent for the sins he has committed. We know the old story how the king asked the prisoners one after another for what offence they have been committed to jail. Each one of them levelled a charge against the officer and only one of them confessed his guilt. Therefore it is necessary that the person who is in charge of the prisoners, that is, the Superintendent of the jail, must be made responsible for the administration of the jail so that every person who comes out of the jail must be a better man. So that it is essential that he must study the mental condition of the convicts. Take the case of the Criminal Tribes Act. Far away from the human habitations the criminal tribes are made to live and they are put under the care of some persons, some missionaries who look after them. By so doing they are kept away from the haunts of the criminal tribes and thus they are made to forget their old habits and new and good ideas are formed in their stead.

12-30 P.m. "You make them live at a distance; you give them all the amenities and try to make them better beings. Let not the convicts be kept within the precincts of the town. Give them general instruction so that these people when released may become better human beings.

"I want also to refer to one other matter and that is with regard to the manner of taking the prisoners to the court-house. A decent man is handcuffed with a bad criminal. Why should a man be handcuffed even before he is sentenced? These are petty annoyances to which the prisoners are subjected; they could be very easily remedied. These people must not be reminded of the fact that they are worse than ordinary human beings; they must be induced to think well of themselves and raise themselves. There is need for a revolutionary change in the present system of jail management. If the prisoners do not come out of the jail better than they went in, we may as well not send them there."

\* The hon. Mr. A. Y. G. CAMPBELL :—"Mr. President, Sir, it may be convenient if I say a few words now with regard to the various points raised in the course of the discussion. My hon. Friend, the Mover of the resolution, referred to a committee, which I think sat in 1919-20 and made various recommendations for the improvement of the prison system in India. Hon. Members are aware that the Government of India and the Local Government have given their very careful consideration to these recommendations and have given effect to a large number of them so far as funds permit. One of their recommendations referred to the undesirability of short sentences of imprisonment. This matter has been borne in mind and has been pressed on the attention of the magistrates by the Government from time to time and I believe considerable progress has been made in this respect in recent years. The number of criminals sentenced to short terms of imprisonment has been materially reduced. The hon. Member also suggested the extension of the probation system on the lines adopted in the United States of America and

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England. That subject is at present under the consideration of the Government of India and it is desirable that legislation on that matter should be undertaken by the Central Legislature rather than by a Provincial Legislature. It involves the amendment of the ordinary criminal law of the land. In the same way any legislation relating to indeterminate sentences should also be applicable to the whole of India as it would involve a very material alteration of the present system of criminal law and I am not prepared to say that it is one which we should adopt in the immediate future, though this matter is considered from time to time.

"As regards the treatment of habitual prisoners, at the present time two jails have been set apart for the reception of these habitual prisoners. They are at Salem and Vizagapatam and they are intended to prevent the mixing of habitual with other prisoners.

"A certain amount of work is being done by the Discharged Prisoners' Aid Society in looking after discharged prisoners, finding work for them and assisting them to become good citizens. The activities of the society can only be extended gradually; from time to time new branches are opened in such districts as it is possible to find people to take up that work. The Government assist the society by giving them grants. The grant has been raised from Rs. 3,000 to Rs. 5,000 a year and I am sure that it is the wish of the Government as well as hon. Members of this House that the work of the society should be further expanded.

"A suggestion has been made by various hon. Members that special treatment should be given to political prisoners and that there is no provision for that being done. As a matter of fact, a few years ago, rules were made by which prisoners could be included in what is known as the special division. Prisoners sentenced to simple imprisonment can be included in the special division by the court subject to the confirmation of the Government. Such prisoners are allowed various special concessions such as separation from the ordinary prisoners; they are allowed to have uncooked food brought to them from outside besides the jail diet; they are allowed to wear private clothing provided there is no political symbol; they can have private beds; they can have books, magazines, newspapers subject to the orders of Government; they are exempt from the performance of menial duties; they can have their own furniture to a reasonable extent; they are exempt from handcuffs and fetters. There is, I believe, no such classification of prisoners as political in other countries; the courts can direct that convicts shall undergo imprisonment in a specified division.

"In this connexion some reference was made to the prisoners who were sentenced to imprisonment for attacks on the Neill statue. As already explained in answer to a question put by my hon. Friend, Mr. Adinarayana Chettiyar, these prisoners were not treated in any other way than ordinary prisoners; they were not subjected in any way to any special disabilities. As regards their proceeding to Egmore station wearing Gandhi caps, it is the usual practice to allow the prisoners to wear their private clothing when they are transferred; and for that reason these prisoners were then wearing the clothing which they wore at the time they were arrested.

"Various hon. Members referred to the subject of the diet of the prisoners and to the sanitary conditions of the jails. It was said that there

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is no provision to give the prisoners the kind of food to which they were accustomed before they were sent to jail. The rule on the subject is as follows:—

‘In the case of newly sentenced prisoners the class of diet whether rice, ragi, cholam orumbu which they are to receive in jail should be determined by the convicting courts and entered in the committal warrant issued by them. The magistrates should make personal enquiries as to the habits and status of the prisoner before deciding on the class of diet to be allowed to him and note in their own hand the following particulars at the foot of the warrant:—

- (a) the diet to which the prisoner was accustomed according to his own statement;
- (b) the diet recommended by the magistrate; and
- (c) brief reasons if rice diet is recommended.’

‘This classification is not liable to any change whatever by the Jail authorities except on medical grounds. I think, Sir, that this rule shows that some account is taken of the habits of the convict before he was sentenced, in determining what diet he should receive. But the real test of the suitability of diet and of the other conditions in the jails is to be found in the results which are shown by the health of the prisoners. I should like here to quote the remarks made by the Public Health Commissioner of the Government of India on the health of the prisoners in jails during the years 1925 and 1926, the latest year for which we have his report. These reports deal with the jails throughout India. With special reference to Madras, he says, summarizing the general conditions: ‘Vital statistics were again very satisfactory, the daily average sick and the total deaths both showing a decrease.’”

Dr. B. S. MALLAYYA:—“What is the mortality rate?”

\*The hon. Mr. A. Y. G. CAMPBELL:—“The mortality rate for the Presidency in 1925 was 12·51 and in 1926 it was 11·46.

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‘Sanitation in all its branches has received the closest attention and the universality of automatic chlorination where water-supplies are unreliable in the hot weather is a very sound policy. I consider all money spent on good water-supply, artesian wells, and on chlorination as the soundest of investments. The report shows again the enlightened policy which we have come to associate with the direction of the Madras Jails.’

“In his report on the jail administration in 1926 he remarks:—

‘The keynote of this report is steady progress along the lines of previous years. Special features are the improvement of water-supplies, the extension throughout the Presidency of the Borstal Schools Act, the Madras Children Act, the opening of a new Junior Certified School at Rajahmundry, and the further lowering of sick and mortality rates and the amount of dysentery and tuberculosis of lungs. . . . Vital statistics show a further improvement, the ratios for daily average sick (14·08) and mortality (11·46) being the lowest since 1917. Automatic chlorination of water was extended to more jails and several other improvements on water-supply were carried out. Conservancy arrangements have also received much attention—a specially important point in view of the ankylo stomiasis situation.’

“I submit that these reports of the Public Health Commissioner of the Government of India show that in this province every attention is being paid to the necessity of looking after the health of prisoners. I think hon. Members will agree with me in thinking that no one is keener on this subject of the improvement of our jails and of the introduction of more up-to-date systems of treating prisoners and of undertaking reformatory methods than the present Inspector-General of Prisons, Lieutenant-Colonel Cameron. It is to him that the very great deal of the progress that has been made in our jails for the last few years is due and I believe that it is acknowledged that the jails in our province are very much in advance of those in other parts of India. I think, Sir, that during the past few years we have been making



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steady progress on right lines and no doubt that progress will be continued, but we should proceed with caution; we should do nothing in too great a hurry; we must consider carefully whether methods which have been successful in other parts of the world are suitable for this province and if so, in what form they should be adopted. I think that we have every reason to be satisfied with the progress that has been made in recent years."

\* Mr. C. V. VENKATARAMANA AYYANGAR :—"Sir, I have also given notice of a similar cut. I would like to say a few words on these questions. I agree with the hon. the Law Member when he said that for the last five or six years attempts have been made to improve the condition of prisoners in our jails. I say we should not grudge to admit that in several cases there has been much improvement. Our complaints are not that matters are becoming worse; all that we say is that there are several other improvements which can be given effect to very easily and I would request the Government through the hon. the Law Member not to be very cautious and not to be very slow. He told us last that they were very anxious to do everything with caution and that nothing should be done in a hurry. I would say that it is only this over-caution that has prevented further and more useful reforms being given effect to in our jails.

"One important question is that of jail offences. Within the jails they have got their own law; they have got their own courts and they have got their own punishments. The pernicious system of the prosecutor and the judge being one and the same person is still found in our jails. I would therefore request the Government to look into this matter and see that offences in jails which are after all petty offences and which are supposed to be against jail rules are not summarily dealt with by the jail officers themselves. We have now for our jails a fairly good number of official and non-official visitors and they meet every quarter to deal with jail matters. I would therefore request the Government to consider the desirability of placing these jail offences before those committees so that they may go into the matter and award punishments if necessary.

"Another question which has been dealt with by my hon. Friend and the hon. the Law Member is the question of conditional release of prisoners on probation. I would, if I may, humbly give an advice to the Government and to the hon. the Law Member. It is not right to shirk our responsibility and say that everything should be done by the Government of India. The Government of India find enough work in having to deal with the troublesome Assembly. We cannot compel them to have any progressive Act on such social and philanthropic lines as probations for convicts. Mr. G. Narayana-swami Chetti, one of the Provincial Secretaries, has been recently lecturing in several places as to the necessity of having some Act regarding probationers. It is high time that the Government request their hon. Advocate-General to frame a short Bill. A very short Bill is quite enough, and will enable what is now practised to be authorized by law. The Government have now passed a Government Order appointing a number of visitors to be members of Advisory Committees. As Secretary of the Discharged Prisoners' Aid Society in my district I have had the privilege of being an ex-officio member of that committee which has been doing very good work. The committee consists of the Inspector-General of Prisons—himself presiding—the District Judge of the locality and only one non-official member. Such being the case, my complaint is that the Government are quite wrong in throwing several of

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their recommendations into the waste-paper basket. I appealed to them successfully in a few cases to reconsider their decisions and to accept the recommendations of our committees. I would ask the Government to extend the privileges of those advisory committees and say that the unanimous recommendations of those committees should be binding on the Government except under exceptional circumstances. Various cases are placed before them and they are very carefully scrutinized. The Police and the District Magistrate are asked to give their opinions and the committee are asked to give reasons if they differ from those officers. After all these scrutinies are done and recommendations are made, the Government draw a red line over their recommendations. I would request the Government to extend the scope of the Government Order.

"At present, some long-term prisoners are released before their term of imprisonment expires and I would request the Government to release the short-term prisoners also a little earlier than the expiry of their term. If the ex-convicts have some control and if some monetary help is given to them for a few months after their release, they are all right afterwards. I ask the Government to see that in almost all cases people who behave well in the jails should be given the opportunity of being released a little before their term, whatever the sentence may be, so that they may be under probationers. Even without an Act the practice is going on. I have been asking the District Magistrate to appoint a probationer for every convict that comes out of the jail and the District Magistrate of my district has been kind enough to appoint probationers. There is no legal authority either for him or for me to do so. But we have been doing so with excellent results. If a probation officer is appointed there is some influence in the conduct of the prisoner. The probation officer is asked to send reports. If the prisoner wants any money, a loan is advanced to him. That system has been working very well.

"The hon. Member said that the Government had been taking steps to reduce the number of short-term prisoners. It has been usual now year after year that question has been debated in this House and if we take the reports of the last five or six years I do admit that the number of prisoners who were sentenced below a period of one month has been considerably reduced. I would suggest to the Government to extend the principle still more. While strictly asking the magistrate not to convict and sentence any person for less than a month, I would be glad if the Government would go further and ask the magistrates that the sentence of three months on a prisoner should be an exception rather than a rule, because the offences committed are petty ones. Persons who unfortunately go to jail for these petty offences belong to fairly respectable families. If such a person is sent to jail for a period of three months, his experience in the jail and his contact with habitual offenders in the jail is likely to make him unfortunate in his after-life.

"Our society also as a whole should be blamed in this matter. When once a man goes to jail, many of us think that he is incorrigible for all time to come. I am one of those who believe that no man is hopeless and that no man is above redemption. But unfortunately our society condemns and black-marks every man who goes to jail whatever the nature of the offence may be except probably political offenders who are generally regarded as heroes. Unfortunately the society and the Government do not treat the convicts properly. I am mentioning this only to show that persons should not be sent

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to prison for short terms. The Government should also consider that no man is above redemption. I am glad that the hon. the Law Member said much in favour of the work done by the Discharged Prisoners' Aid Society. I would ask the Government and the heads of departments to appoint people who are released from the jail to various Government posts. Of course the Government have increased the grant to the society from Rs. 3,000 to Rs. 5,000. This is a very small amount considering the vast area of the province and the enormous work to be done. It is unfortunate that the public and employers of labour think that if a man comes from the jail he should be blackmarked and that he should be avoided. I would ask the Government to set an example to other people by themselves leading the way and making it a rule that under ordinary circumstances such applicants should be given appointments. In some cases the Government themselves have been giving appointments to some people chiefly on my recommendation. But unfortunately some heads of departments consider that they are criminals and bad people and that they should not be given any appointments. I wish to bring this matter to the notice of the Government so that a rule may be issued that ex-convicts—unless they are very bad—should be given appointments as I say no one should be considered to be impossible of improvement. If the Government think otherwise, it only casts discredit on their jail administration and nothing else.

“And now, Sir, about the treatment accorded to the Neill statue prisoners. 1 p.m. I do not think that Government want to ill-treat some people on the ground that they wear a particular kind of cap which is usually worn by Congressmen. Neither is it reasonable that they should be given severe punishment simply because they were Congressmen. There is no doubt whatever that these offenders are poor young men who did what they did considering it their national duty. There is therefore absolutely no necessity for the Government or the Police officers to treat them like other ordinary criminals and much less to give them a worse treatment. I think Government should issue orders that in these cases there is absolutely no necessity for hand-cuffing them as even ordinary prisoners are not taken to the court hand-cuffed unless they are dangerous persons.

“Now, Sir, about the health of the prisoners, no doubt, the death-rate is going down. But if this Government is really civilized Government, it should not rest satisfied with the mere fact that it is going down, but it should compare its figures with the figures in other countries. Sir, most of these prisoners generally belong to a healthy community and are people who are accustomed to live in open air. Most of them are in their prime of age. It is therefore not surprising that the death-rate among the prisoners is low, but this Government, if it is a civilized Government, should compare their figures with the figures in other countries and see that the rate is minimized by giving better treatment to the prisoners.

“Now, Sir, the question relating to the quantity of the rice or food supplied to these prisoners is a very unfortunate thing. There is a saying in Tamil சொக்கனுக்கு எட்டி அளவு which means that the *Sokkan's* measure is his portion of food. Sir, this is the maxim which Government also follows in the distribution of food. Young and old, men who work and men who have no work, men who are disabled and men who are sick are all given the same quantity of food. The rules probably are against one prisoner giving a portion of his food to another. But there are sympathetic people among the



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prisoners who give portions of their food to men who naturally require more food on account of the hard work they do. I therefore think that it is better that something is done to give the Superintendents power to give larger quantities of food in special cases. Sir, this a very important thing.

“Sir, in the Coimbatore jail there is a European officer in charge who is very sympathetic. But there are several subordinate officers. I know of a jailor who used to take pleasure in caning people whenever he considered that they were doing mischief. This was brought to my notice. Although the convicts are prevented from making statements to people outside, we get all possible information about the jails from ex-convicts. I brought it to the notice of the Superintendent, and the Superintendent was kind enough to call for the jailor and ordered him not to take his cane with him in his rounds in the jail. Sir, such things happen very often. I think it is better people belonging to this country who can talk to these prisoners in their own languages and who know their habits and customs are appointed as Superintendents.

“Sir, these jails should also be provided with reading-rooms and libraries. I had the honour of coming across a political prisoner in the Coimbatore jail who wanted to read some newspaper. It was with very great difficulty that I managed to make the officers of the jail give their copy of the *Hindu* and other newspapers to that political prisoner for his reading. Sir, the conduct of the Jail department requires sympathy and knowledge in the officers. If the Government take care to tell the Jail Superintendents and other officers to be sympathetic and merciful towards these people, much more can be done.

“Sir, I have already stated that I am one of those who believe that no man is hopeless and beyond redemption. I believe that a man commits an offence simply because society drives him to do it, and therefore society is responsible for the offence. It is we who are responsible for some unfortunate men entering the jails. Government should not therefore say that the jails should be self-supporting. They should spend more money on them, and society must be made to pay the penalty for driving some of its members to commit offences.”

\* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—  
“Mr. President, Sir, I would like to say a few words in connexion with this debate on account of the fact that I was the Member of Government in charge of the Jail department till ten days ago. Sir, reference has been made to the committee appointed by the Government of India over which Sir Alexander Cardew presided. The committee have made various recommendations and Government have adopted most of the recommendations of that committee. For example, we have now introduced the Borstal system for the adolescents and established the certified schools for the juveniles. We have appointed committees connected with our jails whose function is to advise Government to release long-term prisoners after two-thirds of their term of sentences have been served. I may also point out that Government are aiding and financing the Discharged Prisoners' Aid Society and Madras Children's Society. The Madras Children's Act has also been brought into force during recent years.

“Reference has been made to the food that is given in the jails. I have paid a great deal of attention to this question. In my visits to jails I have found that the food that is being supplied is absolutely pure. As regards

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health, perfect sanitary precautions are being taken. A question has been raised with regard to buttermilk. The question of supplying buttermilk was examined, and it was found that the buttermilk brought from outside being liable to risks of contamination, its use might give rise to diseases like cholera. It was said that Government does not listen to any suggestions made in this House with regard to food. I may say that when this House brought to the notice of Government that M. P. Narayana Menon was losing weight and that he should be given special food Government immediately accepted the suggestion.

"Some hon. Member said that some prisoners are naked. I may say, Sir, that they are all clothed. With regard to Muhammadan prisoners, we have accepted the recommendations of the Jails Committee. I was myself one of the witnesses before that committee and pleaded that Muhammadan prisoners should be given long trousers. That is now being carried out in all the jails in the Presidency. My hon. Friend, Mr. Uppi Sahib, made a scathing criticism in regard to the Muhammadan prisoners in the Alipuram Jail and said that no facilities are being given to them for their religious observances. I have visited the jail twice. I may say that ample facilities are being given to prisoners to perform their prayers and to fast. With regard to fasting, the Inspector-General of Jails has already passed orders that light work should be given to those who fast.

"With regard to moral instruction this was introduced in our jails about ten years ago. I myself was an honorary moral lecturer in the local Penitentiary. Therefore when this department was in my charge, I gave a great impetus to this side of the activity.

"My friend, Mr. Uppi Sahib, said that when Muhammadan prisoners die in the Bellary Jail, no care is being taken to give them a Muslim burial. Sir, as a matter of fact, scrupulous care is being taken in that direction and whenever a Muhammadan prisoner dies the body is given to some non-official Muhammadan body in order that it may be properly buried according to Muslim rites.

"It was also said that some kind of instruction might be given to the prisoners. I think that no one can have any reasonable cause for complaint against Government in this direction. We are teaching them the three R's. We give them moral instruction. We teach them some industry or other so that when these prisoners go out they may eke out their livelihood. We found that the Madras Penitentiary was wanting in providing certain facilities to the prisoners. It was for that purpose that we have accepted a scheme for remodelling the Madras Penitentiary at a cost of 13 lakhs of rupees and we have allotted Rs. 50,000 for the current year.

"Reference was also made to the Bel-chain system. As far as I know, there is only one place in which that system exists and that is Alipuram. We are now making structural alterations in that jail to end that system.

"I am thankful to my friend, Mr. Venkataramana Ayyangar, whose criticism on jail administration has always been helpful. I am sure the criticisms he has made will be carefully considered by the Government and the Inspector-General of Jails. He pleaded for sympathy. May I take this opportunity of telling him that there is no one who is more sympathetic towards prisoners than Colonel Cameron, the Inspector-General of Jails?

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He has very progressive views. Sir, I am extremely grateful to him for all that he has done. It was my good fortune to have had such an officer under me and I take this opportunity of publicly thanking him."

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Diwan Bahadur P. KESAVA PILLAI :—" I listened with great pleasure to the speeches delivered by the hon. Mr. Campbell and the hon. Member who was in charge. I am sure they have given hopes that improvements would be introduced rather more rapidly than they are doing now according to the recommendations of the Jail Committee. I would mention one or two points. Now they use germinating dhol for the diet of the Indian prisoner. When I referred to it on a former occasion, the hon. Member defended it on medical authority. Dhol is soaked over night and it is ground into paste next day and sauce is made."

Dr. B. S. MALLAYYA :—" It is a specific for fattening people."

Diwan Bahadur P. KESAVA PILLAI :—" If he ever tasted such a preparation of dhol."

Dr. B. S. MALLAYYA :—" It is not for tasting, it is for smelling."

Diwan Bahadur P. KESAVA PILLAI :—" It gives greater quantity. I have had complaints from people who have come out of prisons that it has a nasty flavour. Most of us are dhol eaters. But they do not make dhal curry out of germinating dhal. Brahman gentlemen are very particular about dhol but they do not soak dhol and make it germinate before cooking it. I appeal on behalf of the prisoners? It must be most disagreeable to taste. As I pointed out, it might not be quite digestible to all as it is disagreeable. My friend on medical authority said that the prisoners were thriving on it. But I would beg of him to make enquiries of the prisoners as he has promised to do, and get rid of this sort of nasty cheap diet. The other complaint is a grave one, and that is about the convict warder system. No convict warder system exists in England. I have read books on prisons in other countries. This convict warder system exists only in India. I gave evidence on this subject before the Jail Committee and I have been agitating for the reform of our jails since 1909 and I know that eminent jail authorities have held it to be a most reprehensible system. A man can become a convict warder if he had managed to get a long term of imprisonment and earned good conduct certificate. Short-term prisoners are as a class casual prisoners. Most of them are not thieves and they come there for small offences and yet they are kept under the control of a convict warder. He gets concessions and better dress. As a rule these convict warders are appointed from people who are convicted of dacoity or some such grave offence. Some of them belong to the criminal tribes also. I do not know if special steps are taken to select them now. They serve as the tools in the hands of corrupt jail officials. This has been brought out not only here but elsewhere to the notice of Government. Yet they have not abolished it. I do not know if the hon. Member has ever thought over this system. It is confessedly an immoral and indefensible system not abolished in this country to save money. What is condemned in England is allowed to continue in India. It is a standing reproach on the administration. One word about towels to Indian convicts—towels of a small size were given on my agitation along with rice. Previously it was not the practice to give towels. Then jails were not considered as reformatories but as places of punishment and



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hardships. A marvellous change has come. In 1909, when it was pointed out to the Member in charge that prisoners died of diarrhoea and other bowel complaints because they were forced to eat food to which they were not accustomed he was angry. I said by way of argument to drive home my point, why do you give Anglo-Indians food that they are accustomed to? Why should you not give rice diet to Indians who were used to it? I was subject to a wild attack. Gradually the Government realized that I was right and the hon. Member and his advisers were wrong. I must thank them for that. I am very glad to see that when a magistrate notes after enquiry a particular diet for a prisoner, it ought not to be altered except on medical grounds. That is a very good rule. Once the Superintendents of Prisons were not heeding the recommendations of the magistrates. As regards curds, my hon. Friend referred to it."

The hon. the PRESIDENT :—"He referred to buttermilk and not curds."

Diwan Bahadur P. KESAVA PILLAI :—"At any rate buttermilk can be very easily churned in jails. Sir, it is said that buttermilk is such a good thing that old Rockfeller began to take butter milk to improve his digestion. I am afraid that the excuse given for prohibiting its use is untenable. Every Indian is used to it. It is cheap and it helps digestion and promotes health. No meat is given now. Why?"

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—"It is given."

Mr. K. V. R. SWAMI :—"It is omitted altogether."

Diwan Bahadur P. KESAVA PILLAI :—"When my good friend, Mr. Swami, who had an experience of it says it I must take it as reliable testimony and not the words of the hon. Member. (Laughter.) I would appeal to him to look into this question. It is said that only one towel is given. Of course when the Indian prisoner is given one, the European prisoner is given two."

Mr. G. HARISARVOTTAMA RAO :—"Additional langotees. Not towels."

Diwan Bahadur P. KESAVA PILLAI :—"Since your getting out of the jail, towels are given." (Laughter.)

The hon. the PRESIDENT :—"The hon. Member should address the remarks through the Chair."

Diwan Bahadur P. KESAVA PILLAI :—"Of course. My friend is one of those gentlemen who have suffered for the country for whom I have of course affection and regard. I do not refer to this experience of his in a spirit of, (A voice : 'Tamash') tamash, thanks for suggesting the word. I referred to him because he had suffered from the rigors of jail treatment in those days of indiscriminate prosecutions. Since then towel is given which is 2 feet square. I have visited jails in several places and I have seen each prisoner having one towel. One will not do; at least two ought to be given. These things will humanise. They used to give only langotees. They had nothing to wipe off their body with after bath. People had to bathe naked under the humane administration. Now we should be thankful that they give towels. I request the Member in charge of this portfolio to take notice of these suggestions also along with what Mr. Venkataramana Ayyangar had said. This is a very big subject and I hope every Member would study it and try to help the Government to humanise it. The lot of English

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prisoners has. vastly improved since the days of Charles Reade. His book, 'It is never too late to mend Prisons' were horrors, in his time. Prisons are improving day after day all over the world, and the spirit of the immortal howard has been at work. Oscar Wilde, once a favourite author of society, went in as a convict and he has written books on the subject like 'De Profundis', and since that time also English prisons have improved. Many American prisons also have been visited by the Jail Committee in their world-tour, and the Committee's recommendations should therefore be carried out as early as possible. I was reading the other day an account of the latest visit of a lady to the prisons in Soviet Russia, which is tabooed by most of us. Prisoners are treated quite differently. There the prisoners are permitted in harvest season to go to their villages and harvest their crops and come back; and they are given other concessions which only improve and uplift them. And it made me wonder whether we are really more civilized than the Bolsheviks in Soviet Russia. We includes of course the British. I think some of these things should be studied by gentlemen in charge of the department and they should introduce reforms. When they cannot, they must make recommendations to the Government of India for necessary enactments and orders. The jail reform is a progressive one. All that go to jail are not criminals. And the offences for which people are convicted are not always involving moral turpitude. The classification of prisoners, the nature of penal treatment to be meted out, the suitable diet for each class, the humanising and reforming elements to be introduced should receive greater and more consideration at the hands of our Government."

The motion was put and declared lost.

A poll was demanded and the House divided thus :—

### Ayes.

- |                                     |  |
|-------------------------------------|--|
| 1. Mr. A. B. Shetty.                | 17. Mr. C. Ramasomayajulu.                     |
| 2. " S. Satyamurti.                 | 18. " P. Bhaktavatsalu Nayudu.                 |
| 3. " C. V. Venkataramana Ayyangar.  | 19. Sriman Biswanath Das Mahasayo.             |
| 4. " T. Adinarayana Chettiyar.      | 20. Mr. A. Kaleswara Rao.                      |
| 5. " P. Anjaneyulu.                 | 21. " R. Srinivasa Ayyangar.                   |
| 6. " J. A. Saldanha.                | 22. " K. Koti Reddi.                           |
| 7. " P. C. Venkatapati Raju.        | 23. " C. Marudhavanam Pillai.                  |
| 8. " C. S. Govindaraja Mudaliyar.   | 24. " K. Madhavan Nayar.                       |
| 9. " G. Harisarvottama Rao.         | 25. " C. Venkatarangam Nayudu.                 |
| 10. Abdul Hamid Khan Sahib Bahadur. | 26. " A. Ranganatha Mudaliyar.                 |
| 11. Mr. K. V. R. Swami.             | 27. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 12. " D. Narayana Raju.             | 28. Mr. R. Nagan Gowda.                        |
| 13. Dr. B. S. Mallayya.             | 29. " C. R. Parthasarathi Ayyangar.            |
| 14. K. Uppi Sahib Bahadur.          | 30. " Chavadi K. Subramania Pillai.            |
| 15. Mr. C. Obi Reddi.               | 31. " K. R. Karant.                            |
| 16. " A. Parasurama Rao Pantulu.    |  |

### Noes.

- |   |                                     |
|---|-------------------------------------|
| 1. The hon. Sir Norman Marjoribanks.            | 11. Mr. A. McG. C. Tampoe.          |
| 2. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 12. " S. H. Slater.                 |
| 3. " Mr T. E. Moir.                             | 13. " C. B. Cotterell.              |
| 4. " Mr. A. Y. G. Campbell.                     | 14. " P. J. Gnanavaram Pillai.      |
| 5. " Mr. M. R. Seturatnam Ayyar.                | 15. " R. Foulkes.                   |
| 6. " Mr. S. Muthiah Mudaliyar.                  | 16. Abbas Ali Khan Bahadur.         |
| 7. " Dr. P. Subbarayan.                         | 17. Rao Sahib M. Hampayya.          |
| 8. Rao Bahadur C. V. Anantakrishna Ayyar.       | 18. Mr. V. Ch. John.                |
| 9. Mr. H. A. Watson.                            | 19. Subadar-Major Nanjappa Bahadur. |
| 10. " G. T. Boag.                               | 20. Mr. K. Krishnan.                |
|   | 21. " N. Sivaraaj.                  |

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## Noes—cont.

22. Mr. M. V. Gangadhara Siva.
23. Rao Sahib L. C. Guruswami.
24. Mr. V. I. Muniswami Pillai.
25. Rajkumar S. N. Dorai Raja.
26. Mr. S. Arpudaswami Udayar.
27. K. Abdul Hye Sahib Bahadur.
28. Mr. K. Ramachandra Padayachi.
29. Swami A. S. Sahajananda.
30. Syed Tajadin Sahib Bahadur.
31. Mr. B. Ramachandra Reddi.
32. Raja of Panagal.
33. Rao Bahadur Sir A. P. Patro.

34. Diwan Bahadur M. Krishnan Nayar.
35. Mr. P. T. Rajan.
36. „ T. K. Chidambaranatha Mudaliyar.
37. Rao Bahadur S. Ellappa Chettiyar.
38. Abdol Razaek Sahib Bahadur.
39. Khadir Mohidin Sahib Bahadur.
40. Rao Bahadur K. Sitarama Reddi.
41. „ B. Muniswami Nayudu.
42. Diwan Bahadur A. M. M. Murugappa Chettiyar.
43. Kumara Raja of Venkatagiri.

Ayes 31. Noes 43.

The motion was lost.

The Demand was put to the House and carried and the Grant made.

The Council then adjourned for lunch.

## After Lunch (2-30 p.m.).

## DEMAND XV—POLICE.

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—  
“ Mr. President, Sir, on the recommendation of His Excellency the Governor, I beg to move

*‘for a grant not exceeding Rs. 152·03 lakhs under Police’.*”

Mr. P. BHAKTAVATSULU NAYUDU :—“ Mr. President, Sir, I beg to move the motion that stands in my name, viz.,

*‘that the allotment of Rs. 63,800 for superintendence be reduced by Rs. 18,000’.* To discuss the necessity of two Deputy Commissioners and two Assistant Commissioners of Police for such a small city as Madras and to abolish the posts of two such officers.

“ Sir, in this connexion, I beg to point out that the City of Madras is no doubt said to be a city of distances, but it covers only a small area of about 27 square miles or so. There are any number of constables and head constables, inspectors and sub-inspectors. Added to this that there should be two Deputy Commissioners and two Assistant Commissioners and above that one Commissioner clearly shows that the administration is topheavy. At a time of trouble or so-called alarm created by the Government itself, they think of indenting for police from Malabar and elsewhere. That shows the inefficiency of the work of the police in this city. I consider and seriously consider that the police administration in this city is very inefficient, very backward and wanting. This inefficiency is patent in view of the fact that disturbances and robbery and other things happen under the very nose of the Deputy and Assistant Commissioners. Burglaries have taken place in the very houses of these officers (Dr. Mallayya : Even in their offices!) and they are not detected. That goes to prove that so many posts at the top are unnecessary, and instead of having such costly officers, the constables and head constables may be increased and more pay given to them. Now the head constable gets in the city a maximum of Rs. 42 and the constable a maximum of Rs. 30, the minimum being Rs. 22. This, I submit, is hardly a living



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wage, in the city especially in these days. What this means is, simply that the Government is aiding and abetting the temptation to bribery. The poor constable standing all day in the sun and actually getting roasted up is only paid one rupee extra for traffic control. That, I say, is inhuman and not at all adequate to the service he renders; whereas the Commissioner of Police gets Rs. 2,000 and odd, the Deputy Commissioner, Rs. 1,000, and the Assistant Commissioner up to a maximum of Rs. 800. These gentlemen sit in their offices occasionally going about perhaps when there is a serious alarm or when Royal Commissions come out and otherwise entirely depending upon the reports of their inspectors and sub-inspectors and head constables and get such fat salaries whereas the actual men that do the work are paid less than the minimum living wage. I consider this as a very inhuman conduct on the part of the Government, not to consider their case and give them increased pay that they so much deserve. Whether they deserve it or not, their pay must be increased at least to keep them above corruption which is so rampant in the City of Madras just now; and it is within the knowledge of every one concerned that the constables in charge of the regulation of traffic are amenable to such temptations. The Commissioner of Police may have also had knowledge of it.

"Another point is, the recruiting for the police is so bad that people from the lowest strata of society are taken in, so much so that they do not feel the weight of their responsibility and the seriousness of the nature of the work they are doing. I submit, Sir, that the recruitment of the constabulary should be from respectable families, and the minimum salary to be given to them should be fixed at Rs. 50, so that they may be above temptation. With these remarks, Sir, I submit that the top-heavy administration of so many Commissioners of Police should be done away with and the recruitment to the constabulary should be from the higher ranks of society and a minimum salary of at least Rs. 50 should be fixed if the police is to work efficiently in Madras, which I think is the sole intention of Government. Further, there is one aspect of this inefficiency of police in the matter of motor traffic. Motor buses ply even at the rate of 50 miles a hour, and such rush speed is costing many lives in the city. If the Commissioner of Police goes about incognito—it may be a humiliation to him—in some of the buses, discarding the paraphernalia of his office, without being noticed and without notice to anybody, he will find out for himself that what I say is perfectly true. He will observe that the seating accommodation is quite insufficient . . ."

\* The hon. the PRESIDENT :—"The hon. Member proposed to discuss the necessity for two Deputy Commissioners and two Assistant Commissioners of Police for such a small City as Madras and to request the abolition of two of the officers. I am not able to understand how his remarks relating to the seating accommodation in the running buses of the Madras City is relevant to this motion."

\* Mr. P. BHAKTAVATSULU NAYUDU :—"It is relevant in this manner. In spite of the existence of so many responsible officers, these things are not properly attended to, though they are paid separately for such work."

\* The hon. the PRESIDENT :—"I am sorry it is not at all relevant."

\* Mr. P. BHAKTAVATSULU NAYUDU :—"I bow to your ruling. With these remarks I move that these offices be abolished and the strength of the constabulary and their pay increased."

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\* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—“Mr. President, Sir, this question was examined by a committee appointed by the Government in 1923, with the Chief Secretary as President. After the recommendations made by that committee, the Government thought that it was impossible for them to lessen the number of superior officers referred to by the hon. Mover of this resolution. Further, Sir, I should like to point out that the posts of Deputy Commissioner of the City Police belong to the cadre of the Indian Police Service, the abolition of one or both of them would require the sanction of the Secretary of State. (A voice:—‘You apply to him.’) As regards the Assistant Commissioners, we have two of them, one in charge of the headquarters office of the Commissioner of Police, who is not only looking to the office matters but is also in charge of the Intelligence Department, hackney carriages, motor-cars, firearms, etc. The other Assistant Commissioner of Police is in charge of the investigation of crime. As I said, Sir, the Government examined this question and found that it was not possible to reduce the number of these officers. I may say that of the four officers three are Indians.

“With regard to the question raised by my hon. Friend, viz., that the administration is topheavy, I may point out that in Bombay, which is smaller than Madras, there are twenty superior officers of the grade of Deputy Commissioner and Assistant Commissioner, and in Calcutta there are fourteen such officers. In Madras we have only four.

“With regard to the question of motor-buses running at 50 miles speed . . .

\* The hon. the PRESIDENT:—“I have ruled it out of order and the hon. Member need not reply to it.”

\* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—“The hon. Member referred also to the question of our importing the Malabar Special Police in connexion with the arrangements made for the Simon Commission. It only shows that we are running the police force with the minimum strength, and the fact that on occasions like the one referred to it is impossible to provide police handobast without getting the police force from the mufassal goes to show that we manage our affairs with economy.”

DR. B. S. MALLAYYA:—“I have been listening to the hon. the Home Member. He says in Bombay there are more superior officers than in Madras, and so also in Calcutta. Sir, he forgets that in Bombay there is a special rowdy class called Pathans, and they are preying on the population and creating terror everywhere. In Calcutta there are what are called Gundas who are also terrorising the people there. We have none of those classes in Madras. The Madras crowd flies away at the sight of a red cap whether it is worn by a superior officer or by a constable. There is absolutely no justification for having these superior officers. Are they doing their work properly? Have they given protection to the people when needed? Have they maintained discipline and order? Sir, Madras is the headquarters of the police who are supposed to be an example to the mufassal people. But what is the sort of language they use? Sir, I am ashamed to relate to this House, their slang outbeats Chengam Bazaar language. And what are they doing? Things were going on smoothly till Mr. Bhavanandam Pillai was here. There was quiet everywhere, in the Esplanade division in

[Dr. B. S. Mallayya]

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particular. But immediately that gentlemen goes out, comes the C.I.D. officer going about from house to house, stripped of all official dress, asking for the names of the prostitutes living there behind the Kandaswami temple. Under whose orders are they going? Were they deputed by Government? I ask the hon. the Home Member, is it advisable to depute these males to take the census of these prostitutes if there are any? And in the work they were doing, they were really harassing the honourable family women.

"It is a disgrace to any Government."

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\* The hon. the PRESIDENT :—"Order, order. I am not able to understand the relevancy of the remarks to the motion under discussion."

Dr. B. S. MALLAYYA :—"I really want to inform for the benefit of this House so that they may understand what sort of officers are being recruited . . ."

\* The hon. the PRESIDENT :—"The hon. Member may take an appropriate opportunity to give information on the various subjects which he knows, but this is not the occasion for him to give information which is not relevant to the motion under discussion. The hon. Member will resume his seat."

Dr. B. S. MALLAYYA :—"I don't question, I obey. This is the only opportunity for ventilating grievances . . ."

\* The hon. the PRESIDENT :—"The hon. Member will resume his seat."

(The hon. the President called on Mr. G. Harisarvottama Rao to speak.)

\* Mr. G. HARISARVOTTAMA RAO :—"Mr. President, Sir, I am merely astounded at the bland dexterity of the hon. the Home Member. He referred us to a report of a committee but he did not tell us what the reasons were that prompted the Government to accept this number of officers. Madras is 27 square miles in area and the population is about 5½ lakhs or near 6 lakhs and for this area five superior officers are required according to the hon. the Home Member. He talked of Bombay and Calcutta. Of course Bombay and Calcutta are more populous cities. I don't mention their population to institute a comparison. The question of Madras stands on its own merits or falls on its own defects. If he wants to satisfy this House it is open to him to ask after giving information in a manner as to convince us as to what necessity there is for this large number here. He was telling us that the very fact that the Government imported the Malabar Police was proof positive that they were running with a minimum force. Hon. Members on this side of the House pointed out that if necessary constables might be increased, they might be better paid, etc. I don't understand the relationship between the shorthandedness in the force and the number of officers required to man it. I really wonder where from the hon. Home Member made his calculations as to the number of officers required. The hon. Home Member might have enlightened us on a more rational basis. We really don't know exactly why five superior officers are required for a small city like Madras. In all other matters Madras City claims the lion's share of the expenditure and even in the matter of the Police department, has it to take a lion's share? Have we, the poor tax-payers of the Presidency, to bear this expenditure on extra numbers of officers for the metropolis? That was the real question that had to be answered. I am not satisfied and I do not believe that any Member of the House has been satisfied with the answers given by the Home Member. It is a fact that the administration as a whole



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is defective and this is a part of the top-heavy nature of the administration of this country. Madras is treated as a district. It is not more than a district. It cannot be more than a district in population or in extent—in population it is probably not two-thirds or half of some of the ordinary districts in the presidency, in extent it is not as big as a *firka* of a district—why such a large establishment as that should be required for Madras and why five officers should be employed to discharge the police duties in this city is a question that is not understood by us on this side. I wish that the hon. the Home Member had given us rational answers to this question, but we have none of these answers. The only answer that he has vouchsafed to us is 'We are bureaucrats, we have a right to determine and we have determined that Madras shall have five officers; we appoint a committee and they give us advice, we consider their advice as we choose, we come to conclusions and you must accept the conclusions'. That is the argument of the hon. the Home Member. That is an argument that will satisfy no party. I therefore have great pleasure in supporting this motion."

\* Mr. J. A. SALDANHA :—"Mr. President, I will only speak on this occasion to put some queries to the hon. the Home Member. I find that in Bombay there is a Commissioner and five Deputy Commissioners and the others are what are called Superintendents. I want to know whether these Superintendents correspond to the Assistant Commissioners of Police here. If they don't correspond to the Assistant Commissioners, the question is whether this number is not too large for a city like Madras, having regard to the population of only four lakhs, whereas in Bombay it is over a million with a badmashi population which is much larger than is here and where there are professional thieves and robbers more than in Madras. What I am afraid of is that in this Presidency there is much more of a peaceful people and yet we are at a loss to know why there is a supernumerary force here. Yesterday there was a good number of police officers here. . . ."

\* The hon. the PRESIDENT :—"Did he find a good many Assistant Commissioners here yesterday? He will be quite in order if he refers to superior officers?"

\* Mr. J. A. SALDANHA :—"Yesterday I found so many police officers parading. I only want to know the necessity for so many officers. The visitors and others who came to see the Council were wondering why so much police force was summoned and where was the necessity for the display of the police force. Be that as it may, there is always a fondness for display of the police force in this Presidency, and they are too much fond of making their presence felt. Here the officers are riding about the town and without any necessity. In a peaceful city like this, Government must show adequate reason for such a large number of higher officers."

\* Rajkumar S. N. DORAI RAJA :—"Mr. President, Sir, as I remarked the other day, the subordinate police men's Bible is the Criminal Procedure Code. We know what our constables are; they are not sufficiently educated to take upon themselves the responsibility of acting on the spur of the moment. It seems to me to be very necessary in a city like Madras that there must be superior officers to direct them in the proper channel. I thought the complaint made the other day was that the police abdicated their functions, and that they were not in sufficient numbers to put down the rowdy element. As a matter of fact, I found that even though one Deputy Commissioner was

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hit in the jaws which was badly damaged, he kept his temper and level-headedness; and that shows that in an emergency a superior officer is absolutely necessary. As a matter of fact, all the arguments advanced on the other side go to show that the superior officers are an absolute necessity in the City of Madras. For that reason I don't agree with my hon. Friends that these high officers are not necessary."

\* Sriman BISWANATH DAS Mahasaya :—"I am sorry that the hon. the Home Member should have compared Madras with Calcutta and Bombay when there is nothing to compare. In the first place, both these are very populous cities. Bombay has a population double that of Madras, while Calcutta has more than two and a half times. Bombay is a first-rate city so far as commerce is concerned. It is the richest city in India having a first-class harbour where ships are always going out and coming in. And then, Bombay and Calcutta have always a floating population of about a lakh daily. There is therefore no comparison between Madras and these two cities so far as the necessity of police force is concerned. Then besides this Calcutta has the misfortune of having to face communal riots and occasions arise when police forces are needed even now. Added to these there are special difficulties such as the administration of the Gunda Act. Such of those as have experience of Madras and also of Calcutta and Bombay will surely agree with me that the people of Madras are far more meek and docile than those of Bombay and Calcutta. An ordinary coachman is more troublesome there than the so-called rowdy element in this city. This being the case, I don't think it is fair to the Madras City and to the people within this corporation to say that the rowdy element is more to be seen here or that the need for law and for order is greater here than in Bombay and Calcutta.

3 p.m. "Then, Sir, I am not in possession of facts as to the number of superior officers in the city of Bombay or Calcutta. But this much I can say, that the police expenditure as per population in Bengal is far less than that of Madras and the total expenditure on the police is also much less in Bengal than that of Madras. Not only do I speak of Bengal but also of the other provinces, except Bombay and the Punjab. Thus we incur more expenditure on police in Madras per head than the other five provinces of India. This being the situation, I think, my hon. Friend has done less than justice when he finds an excuse in comparing Bombay and Calcutta with Madras. So, Sir, with these words, I heartily support the motion."

\* The hon. the PRESIDENT :—"I take it that the House is ready for a vote on the motion. The question is to reduce the allotment of Rs. 63,800 for Superintendence by Rs. 18,000."

The motion was put to the House and lost.

Mr. S. Arpudaswami Udayar rose to move a motion standing in his name, viz., to reduce the allotment of Rs. 12,05,000 for Presidency Police by Rs. 100—to discuss (a) the inefficiency of police in affording protection to the citizens of Madras on the hartal day and (b) the need for better direction.

\* The hon. the PRESIDENT :—"Does the hon. Member propose to move his motion? If so, before he moves, I wish to know whether he agrees with me or not that it is out of order, because the Council discussed the matter in connexion with a Supplementary Demand on the 13th. Mr. A. Kaleswara Rao then moved a motion to discuss the misconduct of the Madras Police in

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abetting the rowdies in molesting and injuring and preventing peaceful citizens from attending the Simon boycott meeting at the Beach on the 3rd February 1928. Does the hon. Member propose to say that his motion is different from that?"

\* Mr. S. ARPUDASWAMI UDAYAR :—" Sir, I was thinking of making some suggestions. I may refer to the same facts, but my object is to speak of the need for better direction."

\* The hon. the PRESIDENT :—" Perhaps, if he re-opens the old subject, it will give an opportunity to the House again to vote thereon with the possibility of an inconsistent vote being given. That is the reason why the rule of repetition is enforced as regards motions in a current session "

\* Mr. S. ARPUDASWAMI UDAYAR :—" In that case, I do not move it, Sir."

Mr. BASHEER AHMAD SAYEED :—" May I make a submission, Sir ? "

\* The hon. the PRESIDENT :—" It is not his motion. The hon. Member agrees not to move it."

\* Mr. A. B. SHETTY :—" Mr. President, Sir, I move—

*'that the allotment of Rs. 12,05,600 for Presidency Police be reduced by Rs. 100.'*

"I wish to discuss the question of better control of motor traffic in the Madras City and in the mufassal. It is painful to note that motor accidents resulting in injuries and fatalities are increasing in number. We read sickening reports in the daily papers every now and then. These frequent accidents show that either the motor vehicle rules are defective or that proper control is not exercised over the motor traffic and drivers. The accidents seem to be mainly due to three causes, viz., (1) the unsatisfactory condition of roads, (2) some defect in the motor vehicle, and (3) rash and negligent driving. It seems to me that there is a better chance of motor vehicles being kept in a fit condition for traffic if the inspections required under condition (4) of 'G' permit are made quarterly, the present inspection fee being reduced by half, and if there are surprise inspections made free of charge. For this purpose special officers to inspect buses must be appointed in every place where there are a sufficient number of taxis plying for hire. Driving licences seem to be issued now without sufficient care. It is not enough if the man simply knows how to drive. The test applied should not be merely the ability to drive. If there is some defect in the eyesight or the power of hearing or if the man is given to too much drinking or anything is wrong with his nerve, such a person, however well-trained he may be in the art of driving, cannot be regarded as safe. It will be dangerous to allow him to drive a car or bus plying for hire.

"To avoid motor accidents every endeavour has to be made to control the speed of motor vehicles. It is no use having any set of rules if the police do not rigorously enforce them and people are not given deterrent punishment for the contravention of speed regulations. It seems necessary to have a new rule making it compulsory to have a speedometer in every motor vehicle kept for hire. The maximum rate of speed at which motor vehicles can be driven should also be painted or marked in a conspicuous place in distinct colour so that passengers may easily know the speed limits and check the driver when he exceeds it. The question of reducing motor accidents requires the immediate and serious consideration of the Government. They must find out what rules and regulations are in force in other countries where though



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there is more of motor traffic the accidents are fewer. I trust the Government will lose no time in taking all the steps necessary for the better control and regulation of motor traffic and the safeguarding of the life and property of the people."

\* Mr. V. I. MUNISWAMI PILLAI :—" Mr. President, Sir, I would like to associate myself with the motion before the House for two reasons. Sir, it is heart-rending to see so many accidents happening in the motor traffic both in the city and the mufassal. Sir, the unfortunate plight to which the people and the dependants of such of the passengers who are victims to such accidents must be deplorable. In many instances, Sir, people who are busy in trade could not travel in these motor buses on account of the various accidents that are taking place.

" Another point, Sir, which I would like to bring before this House and the Government is that the members of the depressed classes are not allowed to travel in the buses kept for the public in the mufassal. (Cries of 'No, no.')

I know, Sir, this state of affair exists in this country and I do not think proper steps have been taken to remedy matters. To instance one case, the other day, one hon. Member of this House coming from the depressed classes could not travel in a bus through the South Arcot district and consequently he could not attend the Council meeting. Such are the defects now existing in the control of the buses. The other point which I would like to bring before this House is that the speed limit must be fixed according to the weight of the bus and the lorries to reduce the accidents now taking place."

\* Mr. A. T. LUKER :—" Sir, as one who is interested in this matter of traffic and who has spent many years in a study in all its aspects, I would ask not for a cut of this grant but for an increase rather, so that we may have some more educated police on this work. Much has been mentioned here about tests of drivers. I am in favour of having tests. But the reason for the accidents is not so much that drivers have not been tested but where the human element comes in and I think you will find when it is investigated that in nearly every case the accident is due to carelessness. However efficient the police might be, I think I am right in saying that we shall not be in a better position and traffic in Madras none the better until we have the co-operation of the people who own the buses, those who ride in the buses and the police. At present, the police are looked upon as enemies and all the mud is thrown at them, whereas they are trying to do their best in the difficult circumstances and I would plead for more co-operation between the users of the buses and the police so that better control might be exercised.

" About the speed limit which was being mentioned. In England this is largely abandoned and in many other countries also. What may be a safe speed at one hour in the day and at particular street corners may be dangerous at another hour of the day. It is not, therefore, a practicable thing to have fixed speed limits. It only tends, as in other things, for the drivers to drive up to the limit regardless of the dangers on the road."

Mr. S. ARPUDASWAMI UDAYAR :—" Mr. President, Sir, I am glad that the hon. Member who has just sat, has made some good suggestions. Sir, so far as my experience goes, both here in this city and in the mufassal, there is a great deal of rash driving, especially circumstanced as those places are.

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Very often, the streets are narrow. Even the main roads in the mufassal are not broad enough for foot passengers and other traffic. Here in the city, I have been observing that near the places where the tramcars stop to take up passengers, just before one could get into the tramcars, one finds half-a-dozen buses madly rushing past. Those getting into the tramcars have to remain very near the tram lines, for, otherwise they run the risk of being run over or knocked down by the buses. It is quite possible for rules to be framed that when a tramcar stops at a place where the passengers wait, no bus should come near. Also, rules may be framed to confine foot passengers to certain portions of the road, so that there may be no risk. So many things have to be attended to to promote the safety of the passengers. All are not young. There are old people, some of whom are infirm and who naturally out of sheer fright run here and there amid the whirl of buses and in spite of the care taken by the bus driver or the tramcar driver, meet with accidents. Such accidents take place very often. I know the case of a lady belonging to a very respectable family who out of sheer fright at the sight of a bus in front ran to the wrong side, was knocked down and was crushed to death a few months ago. My hon. Friend spoke of tests. I think, Sir, before licences are issued not only the condition of the buses but also the intelligence, the tact and the patience of the driver should be taken into consideration. There should also be co-operation between the police and the bus and tramcar owners, at the same time I am for stricter rules being framed and their being strictly enforced to avoid risk and accidents to the unfortunate people who frequent our roads."

\* Mr. K. V. R. SWAMI:—"There is one important point in connexion with this question, Mr. President, and that is, the issuing of the licences to the drivers. One condition in the licence should be that the drivers should not use any liquor while they are driving the buses. Most of the accidents are due to the carelessness and the drunkenness of the drivers more than anything else. Very little control is being exercised over this traffic by the police, and there should be special officers to look into these things, so that the number of accidents may be minimised. I am very sorry to hear from my hon. Friend, Mr. Muniswami Pillai, that the members of the depressed classes are not allowed to get into the buses that are plying in various places. I have never heard of such a case; but if it does exist in certain places, care should be taken in issuing licences to the drivers, to make it a condition of the licence that no member of the public should be excluded on account of his caste or creed. This is a very important point, Sir, because it is a question of inconvenience to the members of the depressed classes to be excluded from a public conveyance. If anybody wants to increase his business by excluding the depressed classes, care should be taken to compel him to accommodate every member of the public. This right ought not to be denied to any member of the public. The bus service is going to be an important means of conveyance hereafter, and so steps should be taken and rules framed, so that the buses are not very crowded and there are not many accidents. Accidents should be avoided as far as possible. Especially in Madras, such accidents are becoming more and more frequent; these are mostly due, apart from other considerations, to the inefficiency of the drivers, their carelessness and the want of rules to be observed in the matter. I support this motion and hope that it will be voted upon favourably by the House."

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\* **MR. ABDUL HAMID KHAN :—**“ Mr. President, Sir, I wish to say one or two words with regard to the bus traffic in this city, because I do not know much about what happens in the mufassal. I am afraid, Sir, that in spite of the rules and regulations formulated by the Commissioner of Police in Madras, all that used to happen owing to the inefficiency of the police control over the bus traffic does continue to happen. Sir, there are very many centres in the city where it is hardly possible for both a bus and a tramcar to run together at the same time. I may mention one instance, and that is near G. Cunniah Chetti's shop corner. I wish the Police department had co-operated with the Corporation of Madras and asked them to round off that corner, so that it might be easy for both a tramcar and a bus to pass that side without endangering the pedestrian traffic. It is in that corner, Sir, that many accidents have happened and will continue to happen as long as that corner is not rounded off. Further, I wish to point out that there are three or four other places where buses are allowed to stop, for instance, near the Law College buildings, near the Round Thana, i.e., near Misquith's, where I have noticed four buses standing abreast on the road at the same time, making it impossible for a tramcar or any private car to pass that way. This is mostly due to the fact that the police control over the bus drivers is not sufficient. Either the police people do not want to control them or they wantonly allow them to go on in the manner in which they do. There is something wrong somewhere, and I hope the Police Commissioner will take note of this. The police officers who are looking after this matter, ought to be above temptation. I think, Sir, either on account of the poor salary which they are paid or on account of other reasons, they are not free from temptation. It is indeed deplorable that the Police department in their endeavour to have control over the bus traffic, are doing a great wrong to the bus-owners themselves. For, instead of keeping adequate control over the bus drivers, and instead of punishing them and making them responsible for what they do, it seems the bus-owners are being charged for the mistakes that are committed by the drivers. This is a matter which some of us cannot understand. The bus-owner can be called upon to see that the bus is kept in good repair, to see that there is nothing wrong with the machinery; and if he does not look to it properly, then he should be called upon to repair the car and asked not to run the car in a damaged condition. But how can he be held responsible for any mistakes which the driver may commit, say like stopping a car at one place prohibited by the police or going beyond the speed limit prescribed? That is what is beyond my comprehension. If the police is really desirous of controlling the bus drivers, I would suggest that when a licence is issued, the driver should be asked to give a certain amount of surety. If he makes a mistake or if he goes against certain rules of traffic, mentioned in the licence, then a certain amount of money may be taken away from his surety money. It seems to me that by that means some control may be exercised over the bus drivers. If the bus drivers are made to realize that, if they do not abide by the rules prescribed by the police, they will suffer, I think there will be better regulation of traffic. Unless they have that fear, there is no use. They may not care if their masters suffer, when they themselves have committed the mistake. Therefore, if the police in the city want to have a real and regular control over the bus traffic, I suggest they should have better control over the bus drivers and a better control over their own subordinate police officials.”



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\* Mr. K. KOTI REDDI:—"Mr. President, Sir, I only hope that the charge made against the bus-owners that the depressed classes are not allowed to get into the buses is not true. As you know, Sir, these buses are owned by private people, and they are naturally more interested in getting as many passengers as possible than in refusing admission to anybody. There may of course be an occasional instance here and there, but I do not think that on account of that it can be said that the depressed classes as a rule are excluded from these buses. I have not come across any such instance.

"As many hon. Friends have suggested, it is just possible that the control over the buses can be so improved as to minimise the number of accidents that are daily happening in this city and in some of the big cities. But with all the improvements that could be made, Sir, I do not believe it is possible to get rid of these accidents altogether. One obvious remedy that seems to suggest itself to me is this: that these public conveyances in big cities ought not to be in the hands of private people. What really happens is this: most of the bus drivers seem to have financial interest in the buses, and their interest is to make as much money out of their buses as possible. We are daily witnessing the huge competition between these drivers; whenever one driver wants to get some persons to get into his bus he runs the bus at such a high speed so as to overtake the other buses. This competition between the buses seems to be responsible for the high rate of speed at which most of these buses are run. Therefore, if these public conveyances are taken over either by the Corporation of Madras or some other big company, I think the competition will be very much minimised and matters will very much improve. Unless that is done, I am afraid, whatever control may be exercised by the police over these buses the attempt to avoid all accidents will be a failure. There is the spirit to run the bus as fast as one could, so that as many people as possible might be got at; that is the danger.

"With regard to the accommodation available in these buses, we have had a good many complaints. I have myself gone so many times in the buses in Madras and the seats intended for three people are so small that they can seat only two and not three. I have myself experienced that difficulty and I think that something must be done in this direction if the comfort of the passengers is to be safeguarded."

\* Mr. G. HARISARVOTTAMA RAO:—"Mr. President, Sir, while discussing the question of the control of motor traffic in the mufassal, I feel that it is becoming a very complicated question day after day. There is one grave defect which is responsible for a good deal of trouble in the mufassal. The control of bus traffic is now a dual control. It is controlled by the police on the one side and by the local boards on the other. The very offence for which the police charge a bus driver or the bus owner is an offence for which the local boards also can equally charge him and do charge him. In this country unfortunately, police prosecution means judicial interference as well. I do not want to charge the independent Judges of the High Court or the District Judges with interference, but there are the subordinate magistrates who are the creatures of the police in the mufassal, and any amount of harassment takes place of these bus owners in the name of 'charges'.

"I have known cases where sub-magistrates are not satisfied with anything but free service for themselves; they expect this from the bus drivers and if this is not rendered there is a great deal of injustice and

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harshness in the sentences that are passed against them. For instance, I drew particular attention of this House to the punishments that were meted out in the Kurnool district, more especially in the Nandyal subdivision. For the mere offence of carrying one more passenger than the number allotted a fine of Rs. 75, or 100 or 150 is levied. As a matter of fact, I have sometimes drawn the attention of police men that the bus was full and could not accommodate any other; but still they insisted on their right of being carried. The poor driver has no option. Breach of rules does not apply to the police men, the magistrate and the local board official. I have drawn particular attention to this and I have very often influenced the bus-owners to be correct in their duty so far as overcrowding was concerned. But I find that unless some measures are taken to set right things, matters will go from bad to worse. I would rather leave the control of bus traffic to the local boards. It is an open secret to-day that any police official or any local board official can commandeer, as it were, the bus owners and bus drivers. They have to take the sub-magistrate, the head constable, the constable, the district board engineer, the district board officials, the henchmen of all these, and a host of others free of all charge. What is the poor bus-owner to do? He has to make up the loss by taking to all questionable methods. That is the situation in the country. Motor traffic is becoming a very real factor in the communications of the country and because it is important all these difficulties arise. Hence it is necessary that the whole question should be carefully gone into. I do not say corruption will not be there at any time. Probably even if Gods should descend to the earth in the purest form and try to administer bus traffic they may not succeed. But it is unbearable to see buses carrying plantain leaves and plantains to the houses of the District Superintendents, in fact, any goods belonging to the officials in the police or local board departments must be carried. How are the bus-owners to carry on their trade? Unless you simplify the position by declaring how much a motor driver or owner should be fined and by taking other steps the lot of the bus-owners will become miserable. Is it in the power of a sub-magistrate to levy a fine of Rs. 75 or to refuse to let a man on bail on his own cognizance on a charge of overloading.

“Let me come to another point. I myself have witnessed an European gentleman coming into contact with another car in that corner near the Eye Hospital, driving in a drunken mood. One of my friends said that bus drivers should not be drunk. That is all right. What about that gentleman who was fully drunk and yet drove the car? I submit, in the city of Madras, every man has to be controlled. If you are making rules make them applicable to every one concerned. I say that bus traffic must be controlled in a manner so as to do justice to all those who are concerned so that bus drivers and bus-owners may rest satisfied that justice is done to all alike.

“Take the financial aspect in the mufassal. What an amount a man has to pay to get licences in some places! In my own district Rs. 250 for every six months and Rs. 2 at every toll-gate per day. Consequently motor traffic is wretched. This has a cramping influence on the motor trade. To add to these we have got very bad roads. Therefore I think if the Government is anxious to see that something is done in the matter, they should do it early. I grant motor traffic has developed very rapidly and Government might be right if they said they were not in a position to understand the whole situation so easily in a short time. Still it is of such importance that

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a thorough inquiry is necessary, especially with a view to a readjustment of the rules. There are certain rules which are very very defective and which work great hardship on the drivers. Is it not within the knowledge of all of us that the licence of a driver can be cancelled at any moment by any Police official? For all these reasons I feel this motion should be carried."

Mr. ABBAS ALI KHAN :—" Sir, if I am to speak now I have to speak in the presence of Police officers that are sitting opposite to me." (Laughter.)

The hon. the PRESIDENT :—" Members of the Council need not take any notice of the visitors in the gallery."

Mr. ABBAS ALI KHAN :—" I have listened very carefully to the various speakers who had suggestions to better the existing traffic in the city of Madras and in the mufassal. I would place before the House some practical suggestions which could be adopted by the Government. Unfortunately a great deal of discussion took place away from the main issue. (A voice : Question?) The main object of traffic control is to see as far as possible that nothing happens to endanger life. Bus drivers have not got the requisite learning nor are there any institutions where they can learn how to handle difficult situations and how to manage in dangerous corners. Their training is very short. They start as cleaners and after a study of short lessons they start driving. I think the best thing will be to leave the matter to the Police officers who get journals where the latest methods of regulation of traffic are found. For example, we have got the system of keeping to the white line. I may also say that in Germany there is a system by which buses stop in certain places where the tramcars are not allowed to stop and tramcars stop at places where buses are not allowed to stop. Further, where a bus or tramcar stops no other vehicle can come within a specified distance. This has been framed to avoid danger to persons who get out of the tram or bus, as the case may be.

" As regards the allegations against the Police and local boards, the fact is this. The district boards are hard put to maintain their roads in a proper state of repair. It is a well known fact that roads get very soon into disrepair on account of the very heavy loads that these buses take and at very frequent intervals; and our boards are not able to recover the enormous drain. Hence the local boards are justified in demanding large sums as licence.

" As regards the Police in important districts like Madura, Trichinopoly and Tanjore, the Superintendent of Police has to examine the cars before issuing licence and also at periodical intervals. There is what is called a brake certificate and unless that is issued the licence is not complete. All these things are taken with a view to ensure the safety of the passengers. Hon. Members of the House will suggest some practical ways for the proper safety of the person instead of indulging in mere criticism."

Mr. ABDUL HAMID KHAN :—" Why can't you suggest?"

Mr. ABBAS ALI KHAN :—" I have already suggested two things and that is all that my poor brain can think of."

Mr. BASHEER AHMAD SAYEED :—" My hon. Friend has asked us to give some suggestions. A number of my friends spoke on the subject that they have not said anything about two things. The most important cause for the frequent occurrence of collision seems to be the fact that the Madras public



[Mr. Basheer Ahmad Sayeed] [21st March 1928]

is very little accustomed to fast traffic. The Madras public, especially the people who come from the mufassal, of whom there are many in the city, are hardly used to very rapid traffic as it is obtaining in the city at present. Government will do well to spend large sums of money to carry on a propaganda for educating the people to get themselves accustomed to fast traffic. The other reason is the roads in the city of Madras are too narrow to admit of very rapid traffic; but nevertheless licences are issued to such roads for bus traffic. Government should use their money in a more deserved way and one of such will be in investments of liberal grants of funds to local bodies like the Corporation of Madras to widen the roads. Financially several of the local bodies are not very sound and the Government will do well, especially from out of the Police grant, to make allotments for this purpose of widening all roads on which the buses run.

3-45  
p.m.

"The third thing is that there should be a constant examination of the condition of the buses from time to time. Especially the mechanical side of it should be tested. The drivers should be made to undergo examination for driving carefully and avoiding accidents. If all these suggestions are considered and adopted, I think that the number of accidents will be minimized."

\*The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"Mr. President, Sir, the object of the hon. Member in discussing this question is to have better traffic control in the city and in the mufassal. The Government and the Police authorities are of the same opinion as the hon. Member himself with regard to the ever-increasing motor traffic being properly controlled. As pointed out by my hon. Friend, Mr. Harisarvotama Rao, motor traffic has increased in recent years. The question of better control of motor traffic has been before the Government on more than one occasion. About two years ago the Commissioner of Police submitted a scheme which was accepted by the Government, as a result of which the number of traffic points were increased from 35 to 65. The staff of 2 sergeants, 7 head constables and 74 constables was increased to 10 sergeants, 15 head constables and 125 constables, in addition to the two Crown sergeants, three head constables and four constables. Again, very recently I think, the Commissioner has applied for increase of staff for the sanction of Government. That is with regard to the City of Madras. With regard to the mufassal, the Inspector-General of Police has applied to the Government for increasing the staff in one of the districts. It has been sanctioned by Government and the amount necessary for it has been provided in this year's budget. I say all this to show that Government are not unmindful of their duty in this matter and they are doing their best. We want to prevent rash driving and bus accidents. Everything is being done by the Government in this connexion and the remarks made in this House will be brought to the notice of the Police authorities so that they might take necessary steps in the matter.

"With regard to the complaint of the members of the depressed classes that they are not allowed to get into the buses in the mufassal, I think it is a complaint that should not exist. I am sure it is more a matter for the hon. Members who are sitting here, the elected representatives of the people, to educate public opinion in this direction. So far as the Government is concerned, we are prepared to examine the question."

The motion was by leave withdrawn.

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Dr. B. S. MALLAYYA :—“ Mr. President, I beg to move

*‘ that the allotment of Rs. 12,95,000 for Presidency Police be reduced by Rs. 100.’*

“ My object is to discuss the action of the City Police in haras sing the fruit sellers and detaining them in the lock-up without food and water for twelve hours and more, and preventing the mothers from nursing their babies at breast. Mr. President, I request you to permit me to mention two or three other instances of the mismanagement of the City Police. Sir, it is not my object to throw mud on the much-abused Police, but simply to ventilate the grievances of the public of Madras so that the authorities concerned might enquire into them and see that such things are not repeated in future. I have no other motive. They are grave charges no doubt and I realize my responsibility in making these charges. They started some time back on this campaign of mass arrest of the shopkeepers of Rasappa Chetti Street, the 14th division in the Esplanade. A batch of policemen went there at 10 o'clock in the morning, caught hold of a number of petty shopkeepers, deprived them of their goods and took forty or fifty in a mass to the Police station. They were marched to and fro for three or four days and put to considerable annoyance and on my intervention on their behalf were let off with a warning.

“ Then there was the arrest of an old man, a Marwari gentleman 72 years old, a sweetmeat seller. There is a big story behind the arrest of the 72 years old man. He was arrested on a non-bailable warrant on a Sunday morning. The man was suffering from Bright's disease; he was passing only three ounces of urine for 24 hours. A respectable doctor of Georgetown was treating him. The old man was asked to appear before the Magistrate. He produced a certificate that he was ill. But a non-bailable warrant was issued for his arrest on Thursday; while he was arrested, here again, on a Sunday morning. On his behalf I went and saw the Police officer there, and I was told that it was a non-bailable warrant. We tried our level best to get hold of a vakil, paid him a big fee, went to the Magistrate's house and got an order for his release. He was released at 5 p.m.; he had been arrested in the morning. I expected him to collapse. No arrangements were made for any food or for any treatment. Because that is not their business. They stripped him of all his clothes, he was perfectly naked in front of a huge crowd in Georgetown, near the place where he had been conducting his sweetmeat shop for the last 50 years. The man was released with a light fine of Rs. 2. What was the charge against him; it was only not replacing a glass pane in the sweetmeat box. The man was not there; his servant alone was there running the shop. The man was sick and bedridden. This is the mentality of the police. Questions were asked here but all that was of no use.

“ The next thing to which I want to refer is this. A rich man's son drives a motor car; he has not learned the art well; I do not know whether he held any licence or not. He drives the car in one of the congested quarters in Mint Street. He knocks down a child, nine years old and runs away without taking the child to the hospital. The angry crowd chases this car, and he avoids them, puts on speed and runs away without taking the child to the hospital. The child was lying on the road unconscious with half a dozen ribs broken on the left side and I had to attend on it for more than two months. A complaint was made to the Police by the father of the child,

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but no action was taken. Reference was made to this in the press. I myself personally narrated this incident to the Commissioner, but no action was taken, and there are even to this day ugly stories circulated in Sowcarpet about this unhappy incident, as to how the rich man easily silenced the Police and avoided investigation. If he had been a poor man, the investigation would have started at once automatically. I leave it at that.

"Now I come again to the harassing of the poor fruit-sellers of Georgetown. That game is going on merrily. Large numbers of them, males and females, are charged every day for causing obstruction to traffic. They are charged in large numbers and fined large sums in a vindictive manner. Who is causing obstruction to traffic? Is it the Tramway Company who place their sleepers on the side of the road without any lights at night, or is it the Corporation that stacks the road metal there? Here are poor women living from hand to mouth, carrying a basket of oranges and earning 8 or 10 annas a day. They are arrested and asked to appear on a particular day. They go there, but the case is adjourned to some other day. There happens a death in their village and they all go there. The summonses are taken and some of them are pasted on the doors of their houses. Then non-bailable warrants are taken against them; the women are arrested and taken to the Police lock-up, here again on a Sunday morning at 8 o'clock. They are detained there till 8 in the night; two or three of them have little children four or five months old. They brought those children and left them on my pial in Georgetown. When I asked the Policemen to allow the women to take their children, they say, 'No, we are charging only the mothers but not the children.' Who is going to feed the children? Some kind mothers are willing to give one side of their breast to the children affected by this Police zoolum. I asked a question on the floor of this House and the hon. Member said that no arrangements were made since they were released immediately after the arrest. I repeated the question three months after and the reply was that they were arrested at 8 in the morning and released at 9 in the night after 13 hours. Neither the Police supplied them with food, nor were they allowed to bring their own food. The Police made a wrong statement that they were released immediately after they were arrested. Is it their object to starve them also for their crime of selling fruits? It was said that they failed to appear in a court on a minor charge of causing obstruction to traffic, but these poor honest people told the Presidency Magistrate in person in the lock-up at night that no summons was served on them, and that they were absent at a funeral in a village outside Madras, and that they were unable to read and write. I state these things, because there is a story behind them. The game was given up for some time and it has been started again and it is going on everywhere. Sympathetic Magistrates fine them 4 annas and 8 annas; a complaint was made by the Police against them and they were asked to fine them heavily. For some time these poor women were fined 8 or 10 rupees. Their whole earnings for a month will not be 8 or 10 rupees. How are they to pay the fine without carrying on the trade? Are the Police there for merely harassing these poor people? This kind of Police persecution is forcing them to give up their honest profession and many of them go in for prostitution. Many of them are seriously thinking of this course if the Police persist in their persecutions. Sir, they came in a body, about 120 or 150 of them, to the President of the Corporation while the meeting was going on and he was kind enough to address a letter to the Commissioner



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requesting him to desist from prosecuting them till they were provided with proper places for carrying on their trade. How far the Police are going to accede to this request it is to be seen.

"Then again we saw how the city was in a terror-stricken condition by the shooting of the Burma Oil Company people on the poor labourers. What have the Police done? they failed to carry out their primary duty of protecting life and property, but allowed the servants of the company to use firearms on the unarmed crowd of labourers. They held a mock enquiry, charged some labourers, but hushed up the cases against people who used the guns and pieces of steel piping for belabouring the people.

"Again, Sir, during the recent disturbances, a poor student was arrested who by accident happened to be among the crowd. He was taken to the Penitentiary and kept there for seven days and was not allowed to bring his own food. Neither was he given the food to which he had been accustomed.

"The hon. the Law Member told us recently that the food given to 4 p.m. prisoners was that to which they were accustomed. Here is a rich man's son. The Police were very fortunate in getting hold of him. He is kept there for seven days. At 11 o'clock he is taken to the Penitentiary; at 3 o'clock a cup of ragi kanji is brought to him; he refuses that; poor fellow not used all his life to it; he went to the college simply to oblige his teachers; his mother asked him not to go; still he went. He is now in the Penitentiary not as a prisoner and not as an under-trial prisoner but as a demonstrator in the hartal which he was not. He is denied any food for two 48 hours, but is starving and drinking corporation milk coming out of the tap; there is no chlorination even. He could not resist any longer the pangs of hunger. The Superintendent of the Jail took pity on him and brought some rice kanji for him. He tells me that there are bugs there. Bugs have robbed him of a third of his blood. Mosquitoes are intolerable. He is not allowed to have any books. He has no clothes, except one mundu one shirt and one cap. A blanket and a gunny cloth are given to him to sleep on in the night. That night was specially designed evidently by the Penitentiary authorities for feeding the mosquitoes and bugs. What was the charge against him? Nothing except that he was in the crowd. Nobody saw him throwing stones. He was in the Penitentiary; he was brought out on bail by my friend Mr. Thanikachalam Chettiyar. He was the only student caught out of the whole lot. He was the most timid boy. Sir, I have offered these remarks as I told you not to throw mud, to use the expression of the Police, not to abuse the Police force but to see that such occurrences are made impossible in future. One point I gather from the Police force itself is that the pay you give them is not sufficient to keep them above want. They are paid Rs. 21 for wife and children. A Policeman has to seek other avenues. His wife being the wife of a constable with a dignity attached to her position cannot make a living by doing any other work; Policemen get only Rs. 21. They have to augment their income from other sources. The Government themselves are responsible for this state of affairs. If only these men are given sufficient money to keep them above want, many of these petty offences and petty prosecutions will disappear altogether. You want them to be decent people and well behaved people. You want them to be of the type of London Police. If you do not keep them above want they have to yield to temptation. I request my hon. Friends, the nominated Members who represent the depressed classes, to support the motion . . ."

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\* The hon. the PRESIDENT :—"Has the hon. Member completed his list of charges against the City Police?" (Laughter.)

Dr. B. S. MALLAYYA :—"I have still more; I have an order from my chief to close my remarks."

\* The hon. the PRESIDENT :—"The hon. Member may exhaust his charges."

Mr. SAMI VENKATACHALAM CHETTI :—"They are inexhaustible." (Laughter).

Dr. B. S. MALLAYYA :—"I have given the main point of the whole charge. I ask the Police officials who are here now . . . (A voice :-- 'No; no'.) I refer to the hon. the Home Member who is in charge of the Police portfolio. I have one more incident to be placed before the hon. the Home Member. I wanted to avoid it, but since I am reminded of it I shall give it for the information of the hon. the Home Member. On the Ramzan day one charitable gentleman wanted to distribute clothes and money to the poor. It is an avoidable incident; it could have been easily avoided if the Police had common sense. They knew that there was going to be a big crowd. The lane is narrow. The incident would have been avoided if the Police did not charge from both ends. It resulted in the death of nine women and one of them, I am told, was unfortunately a pregnant woman. The distribution of alms and charity in Anderson Street is an annual function. There is a Police station about 150 yards off. They could have done everything to avoid the incident. It was not in their nature. They will be here to see that there is no crowd here. The whole Police force is here with lathis. When I walked into the Chamber I had a mild surprise from the Commissioner of Police. He called me by my name. He is my friend; I have nothing against him; absolutely nothing. They are more concerned with rich and official people and not with the poor who are left to their own destinies. I request the hon. Members, representatives of the Depressed classes, to support me in this motion."

\* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—"Sir, the only issue before us is the specific case of the action of the Town Police in harassing the fruit sellers and retaining them in the lock-up without food or water for 12 hours and more. That is the only question before the House. Of course Dr. Mallayya has mentioned a number of other cases. I am not in a position to answer them, as no previous notice was given to me. All I can say on the point before the House is that six fruit-sellers, three men and three women, were arrested on the 8th May under non-bailable warrants issued by the Second Presidency Magistrate. The charge against them was that they caused obstruction on the public road by selling fruits and they did not appear in the court in accordance with the bonds taken from them. They were arrested at 12-30 p.m. on the 8th May and taken to the Police station at 12-40 p.m. They were released at 7-30 p.m. Therefore they were locked up only for about seven hours. With regard to the question of food, the Government have called upon the Chief Presidency Magistrate to submit a report. We are told that the food hours in the lock-up are between 10 and 12 noon and 8 and 9 p.m. These fruit-sellers were taken to the Police station at 12-40 p.m. and released at 7-30 p.m. Therefore there was no occasion to give food to them. If they had asked for

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food, it would have certainly been supplied to them. Under these circumstances, I feel that there is no serious charge at all. Regarding the question of preventing the woman from nursing her baby, I may say that it is not a fact. On the whole, I think there is nothing serious in the charges made by the hon. Member."

Diwan Bahadur P. KESAVA PILLAI :—" May I know why non-bailable warrants were issued for the offence of obstruction caused by selling fruits ? "

\* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" Because they failed to appear in court."

\* The hon. the PRESIDENT :—" The question is to reduce the allotment of Rs. 12,05,000 for Presidency Police by Rs. 100."

The motion was put to the House and lost.

\* Mr. P. BHAKTAVATSULU NAYUDU :—" Sir, I move

*'to reduce the allotment of Rs. 12,05,000 for Presidency Police by Rs. 100.'*

to consider the question of introducing khaddar clothing and equipment.

"It is the burning question of the present times that khaddar clothes should be encouraged by all sorts of people, especially the Government who are spending several lakhs of rupees for clothing for their several departments. Policemen are after all mostly Indians and I do not think there will be any conscientious objection to go in for the cloth manufactured in their own country which will go a great way to relieve unemployment among the masses of the people. If the Government would think of buying about Rs. 7 lakhs worth of khaddar hand-woven and hand-spun for Police alone, it would be conferring a very great boon upon the starving masses of this Province. The question of unemployment is seriously engaging the attention of every thinking man in this land. It should be the duty of the Government to attend to this matter especially as they call themselves benign and benevolent when defending the cause of the poor. They shed tears in the cause of the poor and they say that they are the only champions championing the interests of the poor people. Here is a serious problem which should be faced by them. If they are honest in their intentions and in what they say, this resolution should really be given effect to. It will, I submit, go a great way to relieve unemployment which stands to-day unsolved. With these few words, I move my motion."

\* Mr. G. HARISARVOTTAMA RAO :—" Mr. President, Sir, at the last budget meeting I remember that this question of hand-spun khaddar was discussed and the hon. Member representing the Government on the other side almost appeared to challenge and ask me to supply the necessary yarn or the necessary khaddar. One year has passed and no demand has been made of me. To-day the hon. Member from Madras has raised this question. I am sure the hon. the Home Member will make up his mind early enough to introduce khaddar for the dress of the Police outright. I know, Sir, that he will stand up and tell me that it will cost very much more to produce khaddar cloth than the cloth which is now being supplied. I am almost certain that, if he enters into details and gets proper estimates, considering the amount of supply that is now available, the cost will not be materially very different. The hon. Member has a manufacturing department under



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the control of the Government, viz., the Jail department. I was told in reply to an interpellation on the floor of this House that hand-spinning had not been introduced into the jails so far as cotton spinning went. I ask why the Government should not introduce spinning in the jails and manufacture cloth therefrom. Jails cannot carry on commercial production, I know . . . .”

\* The hon. the PRESIDENT :—“ I wonder why the hon. Member introduces jails and jail production into this question. The question now before the House is to introduce khaddar in the Police department for Police dress. I wonder how the hon. Member is able to connect jail manufactures with this motion.”

4-15 P.M. \* Mr. G. HARISARVOTTAMA RAO :—“ For the simple reason that I was anticipating an objection from the Home Member that khaddar would be costly. I was suggesting to him that he could get khaddar cheap enough if introduced through this department.”

The hon. the PRESIDENT :—“ Order, order. I might inform the hon. Member that he could well have taken an opportunity of speaking on this subject on the Jail demand. I do not think he will be justified in doing so now.”

Mr. G. HARISARVOTTAMA RAO :—“ I am afraid, Sir, I have not been understood. However, I bow to your ruling.”

“ To continue, Sir, there is sufficient material in the country and sufficient power in the Government to attend to this question immediately and get our Police clad in khaddar. I can promise the hon. the Home Member that with khaddar on, the Police will make a very splendid display. He has only to think of the Congress volunteers and realize how smart they looked and how sweet they were. I am sure that if the Police are clad in khaddar a change of temper will come over not only the Police force but the whole of the country. I am certain that to-day khaddar is considered a symbol of peace, and the people of this country have come to recognize khaddar as national dress, whatever the Government may say to the contrary. Sir, the Police must be of the people. They are no doubt born in this country, they are no doubt paid out of our taxes, but they are not of this country for the simple reason that they are controlled by agencies which are foreign to the country and which are not under the control of this House. Therefore if you want to bring the police to the position of forces that can command the confidence of this country, it is essential that step by step, stage by stage, the Police must behave in such a manner as to command our confidence. The whole Police force can be clad in khaddar within one year if serious attempts are made. Therefore, for the Police to become more national, for the Police to command more respect in the country, for the people to feel that the Police department is coming into line with the people, it appears to me symbolic that khaddar should be used forthwith. Before the transfer of the whole Government to us, which we have demanded, I think this would be a symbolic transfer of the power vested in the Police if the Government are prepared to clothe them in what is accepted as the national costume.”

\* Mr. R. SRINIVASA AYYANGAR :—“ Sir, I would like to say a few words in support of this motion. By this motion, it should not be understood that any grave political issue is sought to be raised. It is purely an economic question. By introducing khaddar, by making the Police force wear

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[Mr. R. Srinivasa Ayyangar]

khaddar, you will be helping a large number of poor persons by giving them sufficient work during the off-season to eke out a living. Sir, I feel some diffidence about the attitude of the Government. Let not the bogey of prestige stand in the way of Government in accepting this motion. In a matter like this, prestige ought to be allowed to play only a subordinate part. I hope the bogey of prestige will be made to yield to wise and sagacious statesmanship. So far as khaddar is concerned, nobody now-a-days has the slightest prejudice against khaddar. Khaddar has come to stay in the country. It has begun to command a large sale and people are taking to khaddar cheerfully even at some sacrifice. In the All-India Khaddar Exhibition held in December last, very fine khaddars were offered for sale. The cloth was durable and the texture was good. In a matter like this, Government can very well afford to spend a few more rupees, as the loss, if any, will be more than compensated by the amount of surplus money that will go to afford relief to the poor and the needy. Moreover, Sir, khaddar, as everybody knows, has come to be regarded as the symbol of purity and simplicity. Sir, when this question came up before this House this time last year, the hon. the Home Member said that the matter would be considered. So far, it does not appear to have had any sympathetic consideration in the hands of the Government. I make an appeal to the Government to make a beginning in this direction. It will go a great way to make people understand that Government are not only not against khaddar, but are sympathetically inclined towards khaddar. With these few words, I beg to support the motion."

\* Mr. K. V. R. SWAMI :—" Sir, our reason for making this motion is this. The taxes of this country are collected from the poorest and the Government should try to see that they go as far as possible to the poorest. Khaddar is prepared by the poorest people. By purchasing the cloth used for the police elsewhere, money is sent out of the country; not only that, the country is poorer for it and the poor are not getting any benefit out of it at all. As regards the texture and the durability of it, there is no doubt that khaddar is giving a good account of itself. What we propose by this motion is that khaddar should be used for all police purposes. If the Government have got any regard for the opinion of the Council in this respect, this motion ought to be given effect to. I am sure the House will be unanimous in this. I am sure the members of the depressed classes would vote with us because this would give employment to some members of that class. I am fully aware that many members of the depressed classes are employed in preparing yarn and in producing khaddar in some parts of the country. I do not think my friends of the Justice Party would fail to support this motion, because now they have accepted khaddar and do intend to give encouragement to it. They have passed a resolution that they would encourage khaddar. (Hear, hear.) The only opposition I expect is from the European bench. (An hon. Member: No, they will vote for it.) But I have not much confidence. After having deprived this country of its textile manufacture, after having stopped the importation of piece-goods into England in 1720 and 1740, they would perhaps feel that this country ought not to be allowed to develop khaddar and thus retain for themselves the money that is now going to foreign countries. Sir, we are now sending every year Rs. 60 crores to foreign countries as cost of the cloth we are purchasing from them. We want to retain a part of that money, by ourselves producing khaddar. The hon. the Home Member smiles,

[Mr. K. V. R. Swami]

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It looks foreign to him. It is unfortunate that some of us look at the matter from the foreigner's point of view. You will soon see how the gentlemen of the civilized West indicate their opinion with regard to this motion. They are quite aware that if this motion is passed, they would lose so much money and that therefore they should try to prevent this country from developing this manufacture. That is the principle involved in this. And so, Mr. President, through you I appeal to the Members of this House, the Indian portion of it, to support this motion and encourage khaddar. Sir, this is a matter which was introduced by such a great man as Mahatma Gandhi. He has pleaded on every occasion for khaddar. His whole aim is to introduce khaddar in the country and to see that it is encouraged by all classes of people and especially the Government which is in charge of the national funds and which has taken so much from the poor people of this country."

\* Mr. A. RANGANATHA MUDALIYAR :—" Sir, the question now under consideration before the House is to my mind really part of a bigger question, namely, whether it is going to be the policy of the Government that, so far as their requirements are concerned, they would, wherever possible, try to meet them in India instead of from outside. So far as the question of the use of khaddar is concerned, I am not prepared to say now that it is not an economic or a feasible problem. In fact, the matter has engaged the attention of the Government, and people who have devoted their time and labour to this question have been communicated with to see whether they could not put this problem of manufacture of khaddar cloths and the handspun yarn necessary for them on an economic footing. I am not aware if replies have been received to these communications, or at what stage the matter now is. I think it is a matter of great importance that the Government here should constitute a Purchase Department which should be in touch with the different agencies which could give us the articles for which we are now going into the foreign market. When I was touring in the United Provinces, I was pleased to find that there was a Purchase Department under the Department of Industries there, and the officer in charge of that department told me with pride and gratification that he had been able to find in India agencies which could provide many of the articles which they were till then buying from England and elsewhere.

"That matter again is, I take it, under the consideration of the Government and I do hope that my successor in office and the hon. the Home Member would give it sympathetic consideration and if that department is organized, I have not the slightest doubt that many indigenous enterprises in this country will find an encouragement, for want of which they are languishing now."

Mr. ABBAS ALI KHAN :—" If I rise to oppose this motion, it is to express the considered views of a considerable section of this House and a considerable portion outside on this question. I wish first to point out the impractical nature of the suggestion made by my friends opposite. My hon. Friend, Mr. Swami, who is sitting on the opposite side with his British spectacles and the khaddar dress might urge upon the Government the necessity of purchasing khaddar for the whole Police department. However nice it may be, somehow or other many people have come to associate with khaddar nothing but political revolution (Cries of Oh, Oh.) It has not been heard of in any civilized country to compel others as to what food they



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[Mr. Abbas Ali Khan]

should take, how they should behave and such other things. After a lapse of some years, friends who are to sit here on this side like Sir John Simon (cries of: Sir James Simpson), Sir James Simpson, will be told that if they put on their hats it will be highly impertinent. What I submit is this. Khaddar is uneconomic. It takes a long time to make. They want in these days of iron and machinery to go back to the old order of things, the archaic method of spinning by hand. They want hand-spun yarns. This House is very much accustomed to the spinning of yarns. (A voice: Spinning Government yarns.) It does not look so well; it does not suit well. (Voices: Question.) My friend, Mr. Basheer Ahmad, looks certainly better with his cap than the other friend with the khaddar cap some 2 or 3 seats behind him. He looks like a Marwari behind him. (Voices of: How does a policeman look with his khaddar dress? It is an insult to the Marwaris.) What I am saying is this, that khaddar is not for wear because when there is perspiration khaddar does not absorb moisture. (Voices: What science is it? Ignorance, ignorance.) I have myself worn khaddar. When the country was suffering from a complex disease called khaddar complex I was also a victim. I wore that khaddar dress at least for the purpose of election; (voices: Oh, oh) for the misguided Muhammadan voters would not think of seeing me if I went in foreign dress. (A voice: What a fashion? Another voice: Election dodges.) I know that I had to spend some of the most terrible days of my life then. I have been also told that khaddar has got a peculiar property of irritating the skin. A policeman ought not to be irritated and should not be irritated by the cloth that he is called upon to wear. I therefore submit to the House that it should not insist on pressing this motion to a division. I am also told, and I may state it with all the seriousness that the matter requires, that a lawyer who was suffering from this khaddar complex got by the irritation of khaddar a carbuncle which developed seriously (a voice: Wonderful revelations) and the man, (voices: Spinning yarns) to use that common expression, kicked the bucket. The khaddar-clad constables who have to maintain much calm and wear the uniform for 13 or 14 hours much to their discomfort will feel it difficult to wear this which may ill-fit and ill-suit them. I therefore submit to my hon. Friends that on account of these impracticable reasons and other things, they should not press this motion to a division."

\* Mr. S. SATYAMURTI:—"Buffoonery and poltroonery cannot go far. My hon. Friend has performed a theatrical performance treating the House as a comic theatre and I am sure it was intended to awaken the slumber of hon. Members at the fag end of the day. It is a tragedy that when we are discussing a question on which all of us on this side feel strongly, my hon. Friend should have so far forgotten himself as to show what he now displayed for want of arguments. I know my hon. Friend and if he wants to make out a strong case against a particular question he knows how to make it. If the House was laughing all the time, he was airing his views and he knows the one who laughed most was himself. He knows that more than I do. The motion I have the honour to support is this. To the extent to which this Government is responsible to this country, if not politically at least morally, it should encourage indigenous industries and it should see that as much as is possible of the money spent to-day is spent in this country for the benefit of the people of this country. Now, Sir, so far as the defects of

[Mr. S. Satyamurti]

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khaddar are concerned, my hon. Friend said that it does not suit well and that it does not fit well. After all they are matters of opinion. My hon. Friend may think that by imitating fashions two decades old he may be passing off as a first-class gentleman in the streets of Madras. But after all even in these civilized days, no civilized country in the world goes about imitating other countries in search of manners and fashions. Each country tries to maintain its own manners and fashions. As for khaddar fitting well, if my hon. Friend would visit a session of the Assembly, he would see there men who are as fashionable and as well dressed as he, if not better, and clad in khaddar. Therefore there was no point in saying that."

Mr. ABBAS ALI KHAN :—" I fainted there."

\* Mr. S. SATYAMURTI :—" My friend is not capable of fainting—my hon. Friend who is far too muscular and robust. But, Sir, two hon. Members of the Treasury Bench who are here once spoke of khaddar, came to this Council clad in khaddar and appeared in khaddar. I do not think they have produced any such impression now by their sartorial achievement. Evidently their dress does not frighten him. Therefore even if my friend's susceptibilities will not be wounded by their khaddar, he may as well allow other people to hold that belief, to dress in khaddar and appear well and decent and command his approval and admiration. My hon. Friend the Chief Minister is even now wearing some piece of khaddar, and also is occasionally getting irritated. I am sure it is not khaddar that is the cause of his irritation nor political difficulties. But apart from that I suggest that the police are not, to the extent to which they ought to, encouraging khaddar. I will give an instance. About two years ago the Council of the Corporation of Madras passed a resolution that all Corporation employees who are clothed at the expense of the Corporation must be given khaddar clothes. The resolution was carried out except in respect of the fire brigade which is under the control of the Commissioner of Police who strongly objected to it. The police carry their vendetta to the extent of discouraging a responsible body with regard to clothing its own servants, simply because a section of that service is under the control, for administrative purposes, of the Commissioner of Police. It was suggested that khaddar symbolises political revolution. I do not know what is exactly meant by that phrase. I have known permanent Government servants dressed in khaddar. Even to-day there are permanent Government servants dressed in khaddar. I am not at all sure, when a general election comes, whether all the three hon. Ministers may not go about once again dressed in khaddar proclaiming that they are not revolutionaries. My hon. Friend said that he put on khaddar because he wanted to cheat the electors. That is a very good certificate to himself. But it seems to me what he failed to do or what he did is not an argument for others to do or not to do a thing. My hon. Friend from East Godavari doubted whether the European Colleagues would vote with us on this matter. I am certain they are going to vote with us. For this reason, viz., that their Leader has been telling me in season and out of season, inside and outside this House, 'Don't plough the sands, do not try to destroy the Government. You had better bring forward constructive proposals. We are with you. We are not against the interests of the country. We are for the economical progress of the country.' Now I say, Government want money to clothe the police. I will give you what money you want, only clothe them with the cloth produced in the country.

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[Mr. S. Satyamurti]

And I am altogether fortified in that hope because the Leader of the European party is a Scotchman who, like all Scotchmen, would love home-spun things. There must be a peculiar fascination for Scotchmen to sympathise with Indians who want home-spun things. Mr. President, I am sure we shall be quite content if the Government make a genuine beginning by starting a khaddar factory this year or encouraging existing factories to produce enough khaddar to clothe the police. What is the meaning of their condemning khaddar even before giving it a trial? To me as to many other Members, this is a crucial test as to whether the Government mean what they say, when they often say: 'We are here co-operating with you. Only don't fight us. Give us constructive suggestions.' This is an eminently constructive suggestion. Khaddar has become much cheaper than it was. Khaddar is being produced on a large scale in different parts of the Tamil Nadu and the Andhra Desa. I appeal to the Indian Member in charge of the Police to take courage in both hands, to initiate, if he pleases, an experiment and then come and tell the House as a result of his experiment whether he agrees with the Public Prosecutor of Ramnad or whether he agrees with the Members on this side of the House. I hope he will give the liberty to the nominated and official Members to speak and vote as they please. We shall certainly press it to a division. The Justice Party has expressed its well-known love for khaddar in conferences and outside, and I hope it will show its earnest interest by helping us in this vote. I hope by their co-operating with us in this constructive endeavour we shall carry the motion by a majority."

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"My 4-45  
hon. Friend, the Deputy Leader of the Opposition, said that this question p.m.  
was considered by the Corporation of Madras about two years ago and they passed a resolution that their employers should wear khaddar; but when it affected the fire brigade the Commissioner of Police brought to the notice of the Corporation certain facts and on reconsideration the Corporation of Madras dropped the proposal so far as the fire brigade was concerned. The reason why it is not possible to ask the police to make their uniforms in khaddar is that khaddar clothing is uncomfortable (A voice: No) for policemen as they have to wear the uniform for about 16 hours a day or so. (A voice: What do you mean by 'uncomfortable'?) Further, I may point out that khaddar is not a popular dress. Not even 25 per cent of the Members of this House wear khaddar. First of all convert all the Indians to wear khaddar before you think of the police. (Voices: 'Policemen are Indians' Are you Non-Indian?) I may point out that khaddar dress is the political symbol of a political party. (Voices: No, no.) Many people do not care for khaddar. To-morrow some other party sitting in Opposition may say that Assam silk is the symbol of their party and they may ask us to make out of it police uniforms. It is not possible for the Government to do any such thing. The cloth used for police uniforms is manufactured in India and India alone. The woollen cloth is manufactured in Cawnpore, and the drill is made in the mills which employ Indian labour mostly belonging to the depressed classes. I may say that cloth manufactured in our jails is also used largely. In these circumstances, it is not possible for me to accept the motion."

\* Mr. ABDUL HAMID KHAN:—"Sir, I must express my astonishment at the arguments that have been advanced by the Home Member with regard



[Mr. Abdul Hamid Khan]

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to this resolution. I expected that a gentleman who is occupying a very important position in this Government would have advanced more serious arguments against a proposition of this description. I am certain that his arguments would not satisfy even children. My hon. Friend says that khaddar has not become popular, that khaddar is not worn by a majority of the Members of this House. Is that the argument, Sir, to be advanced against khaddar. (The hon. the Home Member: Yes.) If he is really interested in the advance of the country, he should go into the very merits of the question."

The hon. Mr. T. E. MOIR:—"May I ask the hon. Member, Sir, what is khaddar?"

\* Mr. ABDUL HAMID KHAN:—"Mr. President, the only answer that I can give to that question which has been asked by the hon. the Finance Member is that he has been a Member of this Government so long and it is high time that he has understood what khaddar meant instead of asking at this late hour what it means. Khaddar is the cloth, if he does not know it already, hand-spun and hand-woven and produced in our country. It is not produced in England or other countries. Khaddar produced in England is different from what is produced here. Sir, I am extremely sorry, that some Members of this House instead of coming forward with serious arguments have given very flimsy arguments in support of their position. By encouraging khaddar you give the means of livelihood to hundreds and thousands of our poor people, including the depressed classes. My hon. Friend, the Home Member, wanted to placate the depressed classes and get their vote by saying that the cloth that was produced by the depressed classes was used by the police and other departments of Government. I do not know how far that statement is correct. I want the hon. the Home Member to place facts and figures before us. What amount is spent by Government in purchasing cloth that is made in India? What we want by pressing this motion is not to call upon the Government to forthwith purchase all the cloth necessary. My hon. Friend, Mr. Satyamurti, has given a hint to Government; let them make a beginning and if they find that there are difficulties, let them come forward and state the difficulties to this House. But even before giving it a trial, to come forward and say that it is not worn by a large number of Members of this House, is not fair for one occupying his position."

"Well, Sir, I am sure even though some of the Members have not yet begun to wear khaddar, they will certainly not stand against giving khaddar a trial and introducing it in the Government departments."

\* Sir JAMES SIMPSON:—"Mr. President, I have no desire to prolong this debate; but as my hon. Friend for the Madras University had just said that I was going to support him on this occasion, I should like to say that I regret I must disabuse him. He said, as a Scotchman, I should support home-spun. (Hear, hear.) Well, Sir, it is only wealthy American millionaires that can afford Scottish home-spun. In Scotland, nowadays it is much too dear, and we have got to go for the cheaper production of England and elsewhere. Sir, yesterday, the hon. Member for the Madras University wore a beautiful sort of Roman toga which he threw about this way and that way. Is that khaddar? (Mr. Satyamurti and others: Yes, Yes, fine khaddar.) Is the black coat that he is wearing khaddar? (Mr. Satyamurti: Yes.) Well, khaddar is getting on. (Hear, hear and

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[Sir James Simpson]

laughter.) Is that cloth that he is wearing round his neck khaddar? (Mr. Satyamurti and others: Yes.) The gold threads in it? (Mr. Satyamurti: Yes, and laughter.) Is the turban khaddar? (Mr. Satyamurti: Yes.) He looks much better in the khaddar turban than with the Roman cloth of yesterday. (Laughter.) Seriously it is not a practical proposition, to clothe the police in khaddar. (Voices: Question: Why not!) The hon. the Home Member has proved beyond doubt that the police are wearing Indian-made cloth. (Voices: Mill cloth.) Cloth made here in India from Indian cotton and Indian yarn. (Voices: Foreign yarn!) To clothe the whole of the police in khaddar is totally impracticable. As the hon. the Home Member pointed out, a beginning can be made. (A voice: Do it.) You must make khaddar cheaper and better and more comfortable. That is why I want to tell the House with great regret that I do not support this motion. I am always willing to help the under dog. I have told the hon. Member for the University that our country has always an affection for the under dog. But the methods suggested must be practicable and to clothe the whole police force in Madras in khaddar is beyond all possibility." (Voices: Quite possible.)

The motion was put and declared lost.

A poll was demanded and the House divided as follows:—

### Ayes.

- |                                     |  |
|-------------------------------------|--|
| 1. Mr. S. Venkiah.                  | 21. Mr. A. Parasurama Rao.                     |
| 2. " M. A. Manickavelu Niyakar.     | 22. " C. Ramasomayajulu.                       |
| 3. Syed Ibrahim Sahib Bahadur.      | 23. Basheer Ahmad Sayeed Sahib Bahadur.        |
| 4. Mr. V. I. Muniswami Pillai.      | 24. Mr. P. Bhaktavatsulu Nayudu.               |
| 5. " M. V. Gangadhara Siva.         | 25. Sriman Biswanath Das Mahasayo.             |
| 6. " N. Siva Raj.                   | 26. Mr. A. Kaleswara Rao.                      |
| 7. Swami A. S. Sahajanandam.        | 27. " R. Srinivasa Ayyangar.                   |
| 8. Mr. V. Ramjee Rao.               | 28. " K. Koti Reddi.                           |
| 9. " Sami Venkatachalam Chetti.     | 29. " C. Venkatarangam Nayudu.                 |
| 10. " S. Satyamurti.                | 30. Diwan Bahadur K. N. Arogyaswami Mudaliyar. |
| 11. " C. V. Venkataramana Ayyangar. | 31. Raja of Ramnad.                            |
| 12. " P. Anjaneyalu.                | 32. Mr. R. Nagan Gowda.                        |
| 13. " J. A. Saldanha.               | 33. " C. R. Parthasarathi Ayyangar.            |
| 14. " C. S. Goyindaraja Mudaliyar.  | 34. " T. C. Srinivasa Ayyangar.                |
| 15. " G. Hariservettama Rao.        | 35. The Zamindar of Gollapalli.                |
| 16. Abdul Hamid Khan.               | 36. Mr. Chavadi K. Subrahmanya Pillai.         |
| 17. " K. V. R. Swami.               | 37. " K. R. Venkatarama Ayyar.                 |
| 18. " Muhammad Meera Ravuttar.      | 38. " C. Gopala Menon.                         |
| 19. " D. Narayana Raju.             |  |
| 20. " K. R. Karant.                 |  |

### Noes.

- |   |   |
|---|---|
| 1. The hon. Sir Norman Marjoribanks.            | 11. Mr. R. Foulkes.                       |
| 2. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 12. Abbas Ali Khan Bahadur.               |
| 3. " Mr. T. E. Moir.                            | 13. Subadar-Major S. A. Nanjappa Bahadur. |
| 4. " Mr. A. Y. G. Campbell.                     | 14. Rao Sahib L. C. Gururwami.            |
| 5. Rao Bahadur C. V. Ananthkrishna Ayyar.       | 15. Mr. G. R. Premayya.                   |
| 6. Mr. H. A. Watson.                            | 16. Rao Sahib R. Srinivasan.              |
| 7. " G. T. Boag.                                | 17. Rajkumar S. N. Dorai Raja.            |
| 8. " A. McG. C. Tampoe.                         | 18. Sir James Simpson.                    |
| 9. " S. H. Slater.                              | 19. Mr. Kenneth Kay.                      |
| 10. " C. B. Cotterell.                          | 20. " W. O. Wright.                       |
|   | 21. " C. R. T. Congreve.                  |

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*Neutral.*

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|---|--|
| 1. The hon. Mr. M. R. Seturatnam Ayyar. | 11. Rao Bahadur Sir A. P. Patro.                 |
| 2. " S. Muthiah Mudaliyar.              | 12. Diwan Bahadur M. Krishnan Nayar.             |
| 3. " Dr. P. Subbarayan.                 | 13. Mr. P. T. Rajan.                             |
| 4. Mr. A. B. Shetty.                    | 14. " T. K. Chidambaranatha Mudaliyar.           |
| 5. " J. Bheemayya.                      | 15. Abdul Razaak Sahib Bahadur.                  |
| 6. " K. Krishnan.                       | 16. Khadir Mohidin Sahib Bahadur.                |
| 7. " W. P. A. Soundarapandia Nadar.     | 17. Diwan Bahadur A. M. M. Murugappa Chettiyyar. |
| 8. Syed Tajudin Sahib Bahadur.          | 18. The Kurara Raja of Venkatagiri.              |
| 9. Mr. S. Arpudaswami Udayar.           | 19. Mr. B. Ramachandra Reddi.                    |
| 10. Raja of Panagal.                    |  |

*Ayes 38. Noes 21. Neutral 19.*

The motion was carried. (The announcement was greeted with loud applause from the Congress benches.)

The demand minus Rs. 100 was then put to vote and carried and the grant was made.

\* Mr. SAMI VENKATACHALAM CHETTI :—" I just want to make an appeal. The hon. Members belonging to the Muslim community very much desire that, as their festival comes off on Friday itself, that day should be a holiday for the Council. May I know if His Excellency the Governor will be pleased to extend the time of the budget discussion by a day more ? "

\* The hon. the PRESIDENT :—" The hon. the Leader of the House brought the fact to my notice earlier in the day. These are fixed days ; I have no discretion in the matter and it is too late to approach His Excellency. So I have to ask the House to meet on Friday at 11 o'clock."

The Council then adjourned to meet again at 11 o'clock on Friday.

R. V. KRISHNA AYYAR,  
*Secretary to the Legislative Council.*

## APPENDIX.

[Vide answer to question No. 1783 asked by Mr. K. R. Karant at the meeting of the Legislative Council held on the 21st March 1928, page 442 supra.]

Before the District Magistrate of South Kanara.

S. B. Bhide ... .. Petitioner.

*Application under the Arms Act.*

The petitioner abovenamed begs to state as follows :—

1. The petitioner is the son of Venkatesha Bhat Bhide, landholder and First-grade Pleader, residing at Pentlandpeta in Mangalore town.

2. That for some time past the petitioner has been the Receiver to the family estate of Maipadi Kovilagam in Kasaragod taluk. Recently he has also been appointed Receiver to the estate of one Damodara Tantri (deceased) of Paniyal village. He is thus appointed Receiver by the Subordinate Judge of South Kanara in litigation pending.



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3. That these two estates under his Receivership own properties in about 36 villages of Kasaragod taluk. Some of these are far in the interior of the district. For the purpose of making collection of rental he has to go from village to village from time to time with only an attendant with him. During these travels considerable amounts of money remain in his hands. Of late for various reasons the petitioner has realized that it is not altogether safe to be thus moving without adequately providing himself with a weapon to protect his person and property in case of emergency.

4. The petitioner is a Graduate in Law. He has also been recently elected a Municipal Councillor for the Kodiyalball West Ward of the Mangalore Municipality. He is also a Member of the Board of Trustees appointed for the management of Shri Subrahmanya temple in which capacity also he has to go to Subrahmanya on several occasions in the year.

5. Besides owning a compound and house T.S. No. 636/53 of Ward IX in Mangalore town, the petitioner is a junior member of a joint family owning properties in Mundaje, Laila and Beltangady villages of Uppinangadi taluk. The petitioner's joint family also pays income-tax which is Rs. 158-8-0 for the current year.

The petitioner therefore prays that permission may be accorded to him to purchase a six-chambered revolver and necessary cartridges and that a licence may be issued to him to own and possess the same and go armed in the whole of the South Kanara district to protect himself and his property.

MANGALORE,  
17th October 1927.

(Signed) Petitioner.

L. Dis. 8548-27.

E. M. GAWNE, Esq., I.C.S.,  
*District Magistrate of South Kanara.*

*Arms Act.* -- Form XVI licence for a revolver -- Requested --  
Orders passed.

Application dated 17th October 1927 of Mr. Shesha Bhat Bhide, B.A., B.L.,  
Landholder and First-grade Pleader, Mangalore town.

Endorsement N. Dis. No. C. 389-M/27, dated 24th November 1927  
of the Tahsildar Magistrate, Mangalore taluk.

The District Magistrate is not satisfied that a revolver is required for the applicant's protection. Licence applied for is, therefore, refused.

SOUTH KANARA DISTRICT MAGISTRATE'S  
OFFICE, MANGALORE,  
3rd December 1927.

X. COLACO,  
for District Magistrate.

